

Maryville City Schools
833 Lawrence Avenue
Maryville, TN 37803

BOARD OF EDUCATION
REGULAR MEETING

5:30 PM, February 11, 2019
Maryville Academy

- I. CALL TO ORDER** **CHAIRMAN POPE**
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE – Josh Smith, 9th grade student
- II. UPDATE FROM MARYVILLE ACADEMY** – Linda Radcliffe, Administrator
- III. ADOPT AGENDA**
- IV. COMMENTS FROM THE PUBLIC ON AGENDA ITEMS**
- V. CONSENT AGENDA ITEMS**
1. Approve Minutes of January 14, 2019, meeting and January 31, 2019, called meeting (Attachment)
 2. Ratify Executive Committee approval of Maryville High and Junior High Schools orchestra overnight trip to Gatlinburg for ETSBOA Senior Clinic (Attachment A1)
 3. Ratify Executive Committee approval of Maryville High and Junior High Schools bands overnight trip to Gatlinburg for ETSBOA Senior Clinic (Attachment A2)
 4. Approve Maryville High School AP Art overnight/out-of-state trip to New York City (Attachment A3)
 5. Approve Maryville High School baseball team overnight/out-of-state trip to Cartersville, GA (Attachment A4)
 6. Approve Maryville High School baseball team overnight/out-of-state trip to Panama City, FL (Attachment A5)
 7. Approve Board Policy Manual Section 4 – Instructional Program – Second Reading
 8. Approve Coulter Grove Intermediate Summer Camp Proposal (Attachment A6)
 9. Approve Maryville High School SCOPE delegates to 2019 SCOPE Conference
 10. Ratify Executive Committee approval of Maryville High School softball practice facility design from Richard R Stache and Associates Engineering Services – Fund Source: Athletics Softball and Capital Outlay funds \$18,700.00 (Attachment A7)
 11. Approve Maryville High School overnight enrichment trip hiking/backpacking in GSMNP (Attachment 8)
 12. Approve Blount County Robotics students overnight trip to compete in First Robotics Palmetto Regional Robotics Competition in Myrtle Beach, SC (Attachment A9)
- VI. AGENDA ITEMS**
1. **Consider Board Policy Manual Section 5 – Personnel - First Reading (Attachment B1)**
 2. **Consider rescinding outdated Board Policy Manual Descriptor Terms (Attachment B2)**
 3. **Consider Cope Architecture proposal for renovations at Maryville High School (Attachment B3)**

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4. **Consider bids for wheelchair accessible school bus - Funding Source: Transportation Equipment (Attachment B4)**

VII. REPORTS FROM DIRECTOR OF SCHOOLS

VIII. RECOGNITION OF STAFF AND STUDENTS

IX. COMMENTS FROM BOARD MEMBERS

X. ADJOURN

Upcoming meeting dates:

March 18, 2019 – 5:30 pm, John Sevier Elementary School

April 8, 2019 – 5:30 pm, Coulter Grove Intermediate School



MARYVILLE CITY SCHOOLS

Mike Winstead
Director of Schools

833 Lawrence Avenue
Maryville, Tennessee 37803

January 15, 2019
Maryville City School Board
Executive Committee Meeting

Approve Maryville High and Junior High Schools orchestra overnight trip to Gatlinburg for ETSBOA Senior Clinic

APPROVED:

Director of Schools *Mike Winstead* Date 01/15/2019

Chairman, Board of Education *Bethany N Pope* Date 01/15/2019

Maryville Board of Education

Nick Black

Candy Morgan

Bob Proffitt

Bethany Pope

Christi Sayles

Request to Release Students for a School-Related Event

Teacher: Wilkinson/Bayle Course/Team/Organization Orchestra MJHS/MHS

Event: Senior Clinic

Dates of Trip: (Include departure/return time) From 2/7-2/9 TO Gatlinburg

Overnight ☒ In-County _____ Out-of-County _____ Out-of-State _____
(Requires Board Approval) (Requires Board Approval)

Transportation: Walk _____ Parents Provide _____ Bus ☒ Number of buses 1

Educational Purpose: ETSBOA Senior Clinic

Cost to Each Student _____ Means of Funding Trip _____

Teacher Signature: M. Bayle Date 1/7/19

Request Approved: ☒ Request Not Approved _____

Principal's Signature: J. Pearl Date 1/14/19

Superintendent Signature: W. B. Winters Date 1-14-19

School Board Approved: Executive Committee Date 1/15/19

Approval

IMPORTANT REQUIREMENT

- Please give classroom teachers a minimum of two week's notice of you event.
- To help administration, teachers, and the Attendance Office, please return list of students alphabetically and indicate their grade level.

Please return to Macheala Humphrey



MARYVILLE CITY SCHOOLS

Mike Winstead
Director of Schools

833 Lawrence Avenue
Maryville, Tennessee 37803

January 16, 2019
Maryville City School Board
Executive Committee Meeting

Approve Maryville High and Junior High Schools band overnight trip to Gatlinburg for
ETSBOA All-State East Senior Clinic

APPROVED:

Director of Schools *Mike Winstead* Date 01/16/2019

Chairman, Board of Education *Bethany N Pope* Date 01/16/2019

Maryville Board of Education

Nick Black

Candy Morgan

Bob Proffitt

Bethany Pope

Christi Sayles

Request to Release Students for a School-Related Event

Teacher: ADAM FORD Course/Team/Organization MHS / MHS BAND 9-12TH
 Event: ETSBOA ALL-STATE EAST SEASON CLINIC - PARK VISTA
 Dates of Trip: (Include departure/return time) From 2/7/19 TO 2/9/19 GATLINBURG

Overnight ☒ In-County _____ Out-of-County ☒ Out-of-State _____
 (Requires Board Approval) (Requires Board Approval)

Transportation: Walk _____ Parents Provide _____ Bus _____ Number of buses _____

Educational

Purpose: STUDENTS TO PARTICIPATE IN CLINIC SETTING FROM
TOP CONDUCTORS

Cost to Each Student ≈ \$110 Means of Funding Trip COLLECTION FROM STUDENTS

Teacher Signature: Adam Ford Date 12/17/18

Request Approved: ☒ Request Not Approved _____

Principal's Signature: Reach Date 12/19/18

Superintendent Signature: Rob Winsty Date 1-15-19

School Board Approved: Executive Committee approval Date 1/16/19

IMPORTANT REQUIREMENT

- Please give classroom teachers a minimum of two week's notice of you event.
- To help administration, teachers, and the Attendance Office, please return list of students alphabetically and indicate their grade level.

Please return to Macheala Humphrey

Request to Release Students for a School-Related Event

Teacher: Raquel Roy Course/Team/Organization Art Dept

Event: AP Art Trip, New York

Dates of Trip: (Include departure/return time) From March 28th, 2019 TO March 30th, 2019

Overnight ☒ In-County _____ Out-of-County _____ Out-of-State ☒
(Requires Board Approval) (Requires Board Approval)

Transportation: Walk _____ Parents Provide _____ Bus ☒ Number of buses 2

Educational

Purpose: Meeting Advanced Placement requirement of visiting 3 art museums. We will visit the MOMA, the Met & the Whitney

Cost to Each Student \$350 Means of Funding Trip _____

Teacher Signature: [Signature] Date Jan 17, 2019

Request Approved: ☒ Request Not Approved _____

Principal's Signature: [Signature] Date 1/17/2019

Superintendent Signature: [Signature] Date 1-18-19

School Board Approved: _____ Date _____

IMPORTANT REQUIREMENT

- Please give classroom teachers a minimum of two week's notice of you event.
- To help administration, teachers, and the Attendance Office, please return list of students alphabetically and indicate their grade level.

Please return to Macheala Humphrey

Request to Release Students for a School-Related Event

Teacher: Sullivan Course/Team/Organization Baseball Team

Event: Cartersville, GA Baseball Games

Dates of Trip: (Include departure/return time) From 4/5 TO 4/6

Overnight ☒ In-County ☐ Out-of-County ☐ Out-of-State ☒
(Requires Board Approval) (Requires Board Approval)

Transportation: Walk ☐ Parents Provide ☒ Bus ☒ Number of buses 1

Educational Purpose: We will be playing at Gordon-Lee H.S. and
Cartersville H.S. in Georgia. It will be
a one-night trip.

Cost to Each Student Meals Means of Funding Trip Baseball Funds

Teacher Signature: C. Acers Date 1-22-19

Request Approved: ☒ Request Not Approved ☐

Principal's Signature: [Signature] Date 1/22/19

Superintendent Signature: [Signature] Date 1-22-19

School Board Approved: _____ Date _____

IMPORTANT REQUIREMENT

- Please give classroom teachers a minimum of two week's notice of you event.
- To help administration, teachers, and the Attendance Office, please return list of students alphabetically and indicate their grade level.

Please return to Macheala Humphrey

Request to Release Students for a School-Related Event

Teacher: Sullivan Course/Team/Organization Baseball Team

Event: Spring Break Tournament in Panama City, FL.

Dates of Trip: (Include departure/return time) From 2/10 3/10 TO 2/15 3/15

Overnight ☒ In-County _____ Out-of-County _____ Out-of-State ☒
(Requires Board Approval) (Requires Board Approval)

Transportation: Walk _____ Parents Provide ☒ Bus _____ Number of buses _____

Educational Purpose:

We will be playing in the Mosley H.S. Baseball Spring Break Tournament. Players will be staying with their parents during the trip

Cost to Each Student ~~\$~~ _____ Means of Funding Trip Baseball Funds + Parents

Teacher Signature: C. Adams Date 1-22-19

Request Approved: ☒ Request Not Approved _____

Principal's Signature: [Signature] Date 1/22/19

Superintendent Signature: [Signature] Date 1-22-19

School Board Approved: _____ Date _____

IMPORTANT REQUIREMENT

- Please give classroom teachers a minimum of two week's notice of you event.
- To help administration, teachers, and the Attendance Office, please return list of students alphabetically and indicate their grade level.

Please return to Macheala Humphrey

**Summer Camp Proposal
Coulter Grove Intermediate School**

January 25, 2019

Camp Sponsor: Karla West

Name of Camp: Camp Invention

Dates: June 3, 4, 5, 6 & 7, 2019

Time: 8:00-4:00

Cost to Students: \$230/Student

Facility: CGIS Townsquare, CGIS covered picnic area, CGIS gym,
CGIS Blue House classrooms

Sponsor Signature: Karla West

Principal Signature: Dr Ramona Best /hmr

Director of Schools: Rob Winters



MARYVILLE CITY SCHOOLS

Mike Winstead
Director of Schools

833 Lawrence Avenue
Maryville, Tennessee 37803

January 22, 2019
Maryville City School Board
Executive Committee Meeting

Approve Maryville High School softball practice facility design from Richard R Stache and Associates Engineering Services – Funding Source: Athletic Softball and Capital Outlay funds \$18,700.00

APPROVED:

Director of Schools *Mike Winstead* Date 01/22/2019

Chairman, Board of Education *Bethany N Pope* Date 01/22/2019

Maryville Board of Education

Nick Black

Candy Morgan

Bob Proffitt

Bethany Pope

Christi Sayles

richard r. stache
AND ASSOCIATES
ENGINEERING SERVICES

PROJECT PROPOSAL

DATE: January 1, 2019
CLIENT: Nick Payne, Head Coach
Maryville High School Softball
825 Lawrence Avenue
Maryville, Tennessee 37803
REFERENCE: Maryville HS Softball Indoor Practice Facility

SCOPE OF WORK:

Provide Construction documents for single story pre engineered metal building practice facility. The total floor area to be 4,000 to 5,000 sf (80'x50' to 100'x50') . The preferred construction material will be steel frame. Construction type will be International Building Code (IBC) Type 2. The survey and geo-technical testing are not included.

Included in this scope of work:

- Architectural plans and details
- Structural foundation, roof framing plans and details
- Electrical lighting plans and details
- Electrical power plans
- Plumbing plans and details including site plumbing and sewer layout.
- Mechanical heating plan and details
- Site plan approval

Notes and Conditions:

The City of Maryville requires a site plan approval prior to any approval of the facility. A general site plan will be completed and submitted at the start of the design for Planning Commission approval. A survey must be completed to support the site plan design. The survey, as supplied by others, will need to include a topographical layout, existing tree and utility locations and property boundary. The survey must supply any covenants, right-of-ways, easements or restrictions to the existing property.

DATE: January 1, 2019
 CLIENT: Nick Payne, Head Coach
 Maryville High School Softball
 825 Lawrence Avenue
 Maryville, Tennessee 37803
 REFERENCE: Maryville HS Softball Indoor Practice Facility

FEE:

| | |
|--------------------|--------------|
| Facility Design | \$ 16,800.00 |
| Site Plan Approval | \$ 1,900.00 |

| | |
|--------------|---------------------|
| TOTAL | \$ 18,700.00 |
|--------------|---------------------|

| | |
|----------------------------------|--------------|
| Initial Fee (10%) | \$ 1,900.00 |
| Schematic Design (10%) | \$ 1,900.00 |
| Design Development (10%) | \$ 1,900.00 |
| Construction Documents (50%) | \$ 9,350.00 |
| Bidding (5%) | \$ 800.00 |
| Construction Administration(15%) | \$ 2,850.00 |
| Total Basic Compensation | \$ 18,700.00 |

- (1) Fee does not include printing cost for drawing reproduction.
- (2) This contract does not include any fees associated with permitting and construction.
- (3) This contract does not include a property and utility survey or soil testing, if required.

PAYMENTS

Billing will be made at the first of the month. The amount due shall be based on the fee schedule above and the amount of work accomplished.

AUTHORIZATION:



 Richard R. Stache and Associates



 Maryville City Schools

Request to Release Students for a School-Related Event

Teacher: Alex Cate / Nick Kessler Course/Team/Organization MHS Enrichment

Event: 2 Day 1 night hiking/backpacking trip in GSMNP

Dates of Trip: (Include departure/return time) From March 7th TO March 8th

Overnight ☒ In-County _____ Out-of-County _____ Out-of-State _____
(Requires Board Approval) (Requires Board Approval)

Transportation: Walk _____ Parents Provide _____ Bus _____ Number of buses _____
We have reserved to central office vans

Educational Purpose: Character, Communication, and Relationship Development

Cost to Each Student \$4 Means of Funding Trip Students pay

Teacher Signature: Alex Cate Date 2-4-19

Request Approved: ☒ Request Not Approved _____

Principal's Signature: [Signature] Date 2/4/19

Superintendent Signature: Amy Wagner Date 2.6.19

School Board Approved: _____ Date _____

IMPORTANT REQUIREMENT

- Please give classroom teachers a minimum of two week's notice of you event.
- To help administration, teachers, and the Attendance Office, please return list of students alphabetically and indicate their grade level.

Please return to Macheala Humphrey

Maryville High School Field Trip Roster

A8 2

NAME OF SCHOOL GROUP Cate / Kessler

TEACHER Cate / Kessler

DESTINATION GSMNP

DATE(S) OF TRIP: FROM March 7th TO March 8th

PRINCIPAL'S SIGNATURE _____ DATE _____

| Name of Student (alphabetically) | Grade Level |
|----------------------------------|-------------|
| 1. To be determined | |
| 2. offering trip to | |
| 3. | |
| 4. 12 MHS students | |
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Request to Release Students for a School-Related Event

Teacher: Andy Hebert ^{*} Course/Team/Organization Blount County RoboticsEvent: First Robotics Palmetto Regional Robotics Competition

Dates of Trip: (Include departure/return time)

Departure Date 2/27/19Departure Time 9:00amReturn Date 3/3/19Return Time 2:00am

Check all that apply:

In-County _____ Out-of-County * Overnight * Out-of-State *

*(Requires Board Approval)

Transportation: Walk _____ Provide * Bus _____ Number of buses _____Cost to Each Student \$ 100 Means of Funding Trip: Student Cost and Team MoniesEducational Purpose: To enrich course standards by investigating real world applications within the context of a robotics competition.Teacher Signature: [Signature] ^{*} Not attending Date 2/1/19Request Approved: ✓ Request Not Approved _____Principal's Signature: [Signature] Date 2/5/19Superintendent Signature: [Signature] Date 2.6.19

*School Board Approved: _____ Date _____

IMPORTANT REQUIREMENT

Please give classroom teachers a minimum of two weeks' notice of the event.

To help administration, teachers, and the Attendance Office, please return list of students alphabetically and indicate their grade level.

Please return to Macheala Humphrey

→ as per attached email, Joel Smith will be transporting students in school van or parents will be driving their own child.

Maryville City Board of Education

Section 5 – Personnel

| Descriptor Code | Policy Title | Issued Date |
|-----------------------------|--|-------------|
| Employment Practices | | |
| 5.100 | Personnel Goals | 02/11/19 |
| 5.102 | Personnel Classification and Qualifications | 02/11/19 |
| 5.103 | Job Descriptions | 02/11/19 |
| 5.104 | Equal Opportunity Employment | 02/11/19 |
| 5.105 | Recruitment | 02/11/19 |
| 5.106 | Application | 02/11/19 |
| 5.107 | Orientation and Probation | 02/11/19 |
| 5.108 | Supervision | 02/11/19 |
| 5.109 | Evaluation | 02/11/19 |
| 5.110 | Compensation Guides and Contracts | 02/11/19 |
| 5.1101 | Differentiated Pay Plan | 02/11/19 |
| 5.113 | In-Service and Professional Learning Opportunities | 02/11/19 |
| 5.114 | Personnel Records | 02/11/19 |
| 5.1141 | Teacher Effect Data | 02/11/19 |
| 5.115 | Assignment/Transfer | 02/11/19 |
| 5.116 | Staff Positions | 02/11/19 |
| 5.117 | Teacher Tenure | 02/11/19 |
| 5.118 | Background Investigations | 02/11/19 |
| Separation Practices | | |
| 5.200 | Separation Practices for Tenured Teachers | 02/11/19 |
| 5.201 | Separation Practices for Non-Tenured Teachers | 02/11/19 |
| 5.202 | Separation Practices for Classified Employees | 02/11/19 |
| 5.203 | Recommendations and File Transfers | 02/11/19 |
| Employee Leaves | | |
| 5.301 | Emergency and Legal Leave | 02/11/19 |
| 5.302 | Sick Leave | 02/11/19 |
| 5.303 | Personal and Professional Leave | 02/11/19 |
| 5.304 | Long Term Leaves of Absence | 02/11/19 |
| 5.305 | Family and Medical Leave | 02/11/19 |
| 5.306 | Military Leave | 02/11/19 |
| 5.307 | Physical Assault Leave | 02/11/19 |
| 5.309 | Legislative Leave | 02/11/19 |
| 5.310 | Vacations and Holidays | 02/11/19 |

Maryville City Board of Education

| Descriptor Code | Policy Title | Issued Date |
|--|--|-------------|
| Employee Health Practices | | |
| 5.400 | Health Examinations/Communicable Diseases | 02/11/19 |
| 5.401 | Acquired Immune Deficiency Syndrome | 02/11/19 |
| 5.402 | Hepatitis B | 02/11/19 |
| 5.403 | Drug and Alcohol Testing | 02/11/19 |
| Grievances | | |
| 5.500 | Discrimination/Harassment | 02/11/19 |
| 5.501 | Complaints and Grievances | 02/11/19 |
| Employee Rights and Responsibilities | | |
| 5.600 | Staff Rights and Responsibilities | 02/11/19 |
| 5.601 | Staff Conflicts of Interest | 02/11/19 |
| 5.602 | Staff Time Schedules | 02/11/19 |
| 5.603 | Staff Meetings | 02/11/19 |
| 5.605 | Staff Gifts and Solicitations | 02/11/19 |
| 5.606 | Political Activities | 02/11/19 |
| 5.607 | Non-School Employment | 02/11/19 |
| 5.608 | Tutoring for Pay | 02/11/19 |
| 5.610 | Staff-Student Relations | 02/11/19 |
| 5.611 | Ethics | 02/11/19 |
| Temporary Personnel | | |
| 5.700 | Interim Employees | 02/11/19 |
| 5.701 | Substitute Teachers | 02/11/19 |
| 5.702 | Student Teachers | 02/11/19 |
| Recruitment and Employment of the Director of Schools | | |
| 5.800 | Director of Schools | 02/11/19 |
| 5.801 | Recruitment and Selection | 02/11/19 |
| 5.802 | Qualifications and Duties of the Director of Schools | 02/11/19 |
| 5.803 | Evaluation of the Director of Schools | 02/11/19 |

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Personnel Goals | Descriptor Code: 5.100 | Issued Date: 02/11/19 |
| | | Rescinds: 8.1 | Issued: 02/13/18 |

1 The Board recognizes that an efficient staff dedicated to education is necessary to maintain a constantly
 2 improving educational program. The Board is interested in its personnel as individuals, and it recognizes
 3 its responsibility for promoting the general welfare of the staff.

4 The Board's personnel goals are:

- 5 1. To ensure that the Director recruits and employs the best qualified individuals to staff the school
 6 system;
- 7 2. To provide compensation, benefits, and working environments sufficient to attract and retain
 8 qualified employees;
- 9 3. To provide a professional development program for all employees to improve their performance;
- 10 4. To conduct an evaluation program that will contribute to the continuous improvement of staff
 11 performance;
- 12 5. To ensure that personnel are assigned so that they are utilized as effectively as possible;
- 13 6. To develop the quality of human relationships necessary to obtain maximum staff performance;
 14 and
- 15 7. To provide opportunities for a genuine team approach to education, including staff involvement
 16 in planning, decision-making, and evaluation.

Cross References

School District Goals 1.700

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Lines of Authority | Descriptor Code: 5.101 | Issued Date: 02/11/19 |
| | | Rescinds: 8.1 | Issued: 02/13/18 |

- 1 Personnel are expected to refer matters requiring administrative action to their immediate supervisor.
- 2 That administrator shall refer such matters to the next higher administrator when necessary.
- 3 Additionally, all personnel are expected to keep the person to whom they are immediately responsible
- 4 informed of their activities by whatever means the person in charge deems appropriate.
- 5 All personnel shall have the right to appeal any decision made by an administrative officer through
- 6 grievance procedures established through board policy.
- 7 Lines of authority shall not restrict the practical working relationships of all staff members at all levels.

Cross References

Assignment/Transfer 5.115
Complaints and Grievances 5.501

| Maryville City Board of Education | | | |
|---|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Classification and Qualifications | Descriptor Code: 5.102 | Issued Date: 02/11/19 |
| | | Rescinds: 8.3 | Issued: 02/13/18 |

1 **ADMINISTRATIVE AND SUPERVISORY PERSONNEL**

2 To be considered for certificated, administrative, or supervisory positions, the applicant must show the
3 following qualifications:

4 1. Professional teaching certification; and

5 2. Administrative or supervisory certification and experience in accordance with state law and State
6 Board Rules and Regulations in the appropriate area based on the minimum of a master's degree.

7 Non-certified administrative and supervisory personnel shall possess sufficient training and experience
8 to perform the services required and such additional qualifications as the Board and the Director of
9 Schools shall determine.

10 **CERTIFIED PERSONNEL**

11 The certified staff members are the personnel whose employment status requires certification in
12 accordance with the rules and regulations of the State Board of Education.

13 **CLASSIFIED PERSONNEL**

14 The classified staff members are personnel whose regular employment does not require certification in
15 accordance with rules and regulations of the State Department of Education.

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Job Descriptions | Descriptor Code: 5.103 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

- 1 Job descriptions shall be developed for each position. They shall be reviewed and revised as frequently
- 2 as necessary.

Cross References

Supervision 5.108
 Evaluation 5.109
 Assignment/Transfer 5.115
 Qualifications and Duties of the Director of Schools 5.802

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Equal Opportunity Employment | Descriptor Code: 5.104 | Issued Date: 02/11/19 |
| | | Rescinds: 8.2 | Issued: 02/13/18 |

- 1 Opportunity for employment, as well as continuation and advancement in employment, shall be
- 2 afforded equally to members of all races, colors, sex, religions, ages, national origins, and individuals
- 3 with disabilities or veteran status with regard only for qualifications for the positions involved.¹

Legal References

1. U.S. Constitution, Amendment XIV; Title VII, Civil Rights Act of 1964; Title VI, Civil Rights Act of 1964; Title IX, Education Amendments of 1972; Age Discrimination Act of 1967; Section 504 of the Rehabilitation Act of 1973; 42 USCA § 12101-12213

Cross References

Section 504 and ADA Grievance Procedures 1.802
 Discrimination/Harassment of Employees 5.500
 Complaints and Grievances 5.501

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Recruitment of Employees | Descriptor Code: 5.105 | Issued Date: 02/11/19 |
| | | Rescinds: 8.4 | Issued: 02/13/18 |

- 1 The authorization of all school system positions rests with the Board while personnel decisions shall be
- 2 within the discretion of the Director of Schools.¹
- 3 The Director of Schools is responsible for the development of a program for the recruitment of licensed
- 4 personnel.²
- 5 Identification of personnel needs shall be the responsibility of the Director of Schools, supervisors, and
- 6 building principals.

Legal References

1. TCA 49-2-301(b)(1)(EE); TCA 49-2-203(a)(1)
2. TRR/MS 0520-01-02-.14

Cross References

Equal Opportunity Employment 5.104
 Assignment/Transfer 5.115
 Staff Positions 5.116

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Application and Employment | Descriptor Code: 5.106 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

1 APPLICATION

2 An individual desiring a position shall make application to the Director of Schools as directed by
3 his/her office. To ensure the safety and welfare of students and staff, the district shall require criminal
4 history background checks and fingerprinting of applicants for teaching positions and any other
5 positions that require proximity to children.¹ If applying for a teaching position, the Director of
6 Schools shall also check the applicant's license status in the State Board of Education's database to
7 determine if there is a hold on that applicant's license, and if so, the reasoning behind the hold.²

8 Knowingly falsifying information shall be sufficient grounds for termination of employment and shall
9 also constitute a Class A misdemeanor which must be reported to the District Attorney General for
10 prosecution.³

11 Any costs incurred to perform these background checks and fingerprinting shall be paid by the
12 applicant.⁴

13 *Certified Employees*

14 The application shall include evidence of licensure or a transcript of credits earned at the colleges or
15 universities attended along with references from persons such as previous employers, college
16 professors, and supervisors of student teachers. Other information shall include whether such applicant
17 has been dismissed for cause from a school system.⁵

18 No person shall be employed:

- 19 1. Who does not hold a valid license to teach from the State Board of Education;⁶
- 20 2. Who has been identified by the Department of Children's Services as a perpetrator of child
21 abuse, severe child abuse, child sexual abuse, or child neglect, or who poses an immediate
22 threat to the health, safety, or welfare of children;⁷
- 23 3. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department
24 of Health;⁷
- 25 4. Who does not present a physician's certificate showing a satisfactory health record or has any
26 contagious or communicable disease in such form that might endanger the health of school
27 children;⁸
- 28 5. Who refuses to take and subscribe to an oath to support the Constitution of the State of
29 Tennessee and of the United States of America;⁹
- 30 6. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
31 employment for cause; or
- 32 7. Who does not receive a satisfactory background check.¹⁰

1 *Classified Employees*

2 No person shall be employed:

- 3 1. Who has been identified by the Department of Children's Services as a perpetrator of child
4 abuse, severe child abuse, child sexual abuse, or child neglect, or who poses an immediate
5 threat to the health, safety, or welfare of children;⁷
- 6 2. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department
7 of Health;⁷
- 8 3. Who does not present a physician's certificate showing a satisfactory health record or has any
9 contagious or communicable disease in such form that might endanger the health of school
10 children;⁸
- 11 4. Who has not complied with the Immigration Reform and Control Act of 1986;¹¹
- 12 5. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
13 employment for cause; or
- 14 6. Who does not receive a satisfactory background check.¹⁰

15 **EMPLOYMENT**

16 After checking references and receiving written recommendations, the Director of Schools shall hire
17 and assign qualified applicants.

Legal References

1. TCA 49-5-406
2. State Board of Education Policy 5.501
3. TCA 49-5-406 (a)(2)(A)
4. TCA 49-5-413(c)
5. Public Acts of 2018, Chapter No. 938
6. TCA 49-5-403; TCA 49-5-101
7. TCA 49-5-413(e)
8. TCA 49-5-404; TRR/MS 0520-01-03-.08(2)(f)
9. TCA 49-5-405
10. Public Acts of 2018, Chapter No. 1006
11. Immigration Reform and Control Act of 1986; Pub. L. No. 99-603, 100 Stat. 3359

Cross References

Orientation and Probation 5.107
 Compensation Guides & Contracts 5.110
 Background Investigations 5.118
 Recommendations and File Transfers 5.203
 Qualifications and Duties of the Director of Schools 5.802

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Orientation and Probation | Descriptor Code: 5.107 | Issued Date: 02/11/19 |
| | | Rescinds: 8.10 | Issued: 02/13/18 |

1 **ORIENTATION**

- 2 All new staff members, including administrative and supervisory personnel, to the school system shall
3 participate in an orientation program prior to the beginning of the academic school year.

Cross References

Application and Employment 5.106
Evaluation 5.109

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Supervision | Descriptor Code: 5.108 | Issued Date: 02/11/19 |
| | | Rescinds: 8.12 | Issued: 02/13/18 |

- 1 Supervision of administrative and supervisory personnel shall be provided by the Director of Schools.
- 2 Classified personnel shall work under the direction of and report to his/her designated supervisor(s).
- 3 The immediate supervisor(s) has the responsibility of assigning specific duties and for giving guidance
- 4 to the employee for the satisfactory performance of those duties.
- 5 All employees shall report being charged with any criminal offense to their immediate supervisor within
- 6 72 hours of the offense.² The supervisor must report the offense to the director of schools immediately,
- 7 and the Director of Schools must report the offense to the Board Chair as soon as practical.

Legal References

1. 34 CFR 84.205-84.215

Cross References

Nepotism 1.108
 Drug-Free Workplace 1.804
 Job Descriptions 5.103
 Staff Positions 5.116

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Evaluation | Descriptor Code: 5.109 | Issued Date: 02/11/19 |
| | | Rescinds: 8.13 | Issued: 02/13/18 |

1 The evaluation of performance and its effectiveness must be a cooperative and shared endeavor on the
 2 part of the Director of Schools and administrative and supervisory personnel. The Board shall use a state-
 3 approved model for evaluating administrative and supervisory personnel. The Director of Schools is
 4 responsible for ensuring that all administrative and supervisory personnel are evaluated annually.

5 **LICENSED TEACHING PERSONNEL**

6 The Board shall use guidelines developed by the Tennessee State Board of Education for implementation
 7 of an approved evaluation system of licensed teaching personnel.

8 The Board adopts the TIGER (Teacher Instructional Growth for Effectiveness and Results) evaluation
 9 model. The Director of Schools shall draft procedures to ensure that the model is implemented
 10 throughout the school system. Additionally, the Director of Schools shall provide information to all
 11 licensed teaching personnel regarding the nature of the evaluation and the grievance procedures
 12 prescribed by the Tennessee State Board of Education.¹

13 ***Local Level Grievance Procedure***

14 The Director of Schools shall develop procedures, consistent with state law, for processing evaluation
 15 grievances.²

16 **CLASSIFIED PERSONNEL**

17 Non-licensed/classified personnel shall be evaluated annually during the first two (2) years of
 18 employment and at least once every three (3) years thereafter.

Legal References

1. TRR/MS 0520-02-.01-.01; TRR/MS 0520-02-01-.02
2. TRR/MS 0520-02-.01-.01(4)

Cross References

Evaluations of Instructional Programs 4.702
 Job Descriptions 5.103
 Orientation and Probation 5.107

| Maryville City Board of Education | | | |
|---|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Compensation Guides & Contracts | Descriptor Code: 5.110 | Issued Date: 02/11/19 |
| | | Rescinds: 8.7 | Issued: 02/13/18 |

1 The Director of Schools shall establish the salary rating of each person employed and shall recommend
2 such salary rating to the Board for its approval.¹

3 Salaries and supplements may be paid from revenue derived from sources other than taxes, provided the
4 revenue is deposited with and salaries paid through the Board. This includes donations or contributions
5 from individual, civic, or other non-school related sources of funds from individual school activity funds,
6 such as gate receipts and concessions.³

7 **Certified Personnel**

8 Contracts for 200 day, certified personnel shall provide:²

- 9 1. 175-180 student attendance days;
- 10 2. 5-10 in-service education days;
- 11 3. One (1) day for parent-teacher conferences;
- 12 4. Ten (10) days paid holidays; and
- 13 5. Four (4) administrative days.

14 The school calendar adopted by the Board each year shall become part of all certified personnel contracts.

15 Certain certified positions may require more than a 200 day contract. In this instance, additional pay
16 shall be calculated at a rate of 1/200th of the employee's 200-day teaching contract. The employee's
17 immediate supervisor will determine when the additional days will be worked.

18 **Classified Personnel**

19 All persons who are employed in a position for which no teaching license is required shall be hired on
20 an at-will basis by the Director of Schools¹. Pay details shall specify the number of work days, hours
21 per day, and hourly rate.

22 The school calendar adopted by the Board each year shall become part of all classified personnel
23 contracts.

Legal References

1. TCA 49-5-402
2. TCA 49-6-3004
3. TCA 49-6-2006(a)

Cross References

School Calendar 1.800
Revenues 2.400
Payroll Procedures 2.802
Salary Deductions 2.803
Application and Employment 5.106

Maryville City Board of Education

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|--|--|--|--|
| Monitoring: Review: Biennially, in September | Descriptor Term: Differentiated Pay Plan | Descriptor Code: 5.1101 Rescinds: | Issued Date: 02/11/19 Issued: |
|--|--|--|--|

- 1 The Maryville City Schools Board of Education has adopted a differentiated pay plan. The
- 2 differentiated pay plan shall be reviewed by July 1 of each year for consideration of revisions.¹
- 3 The differentiated pay plan shall be submitted to the Tennessee Department of Education for review
- 4 and approval on an annual basis by July 1.¹ The plan will follow the guidelines from the Tennessee
- 5 State Board of Education and will reflect the needs of the district.

Legal References

1. TCA 49-3-306(h)

Cross References

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: In-Service and Professional Learning Opportunities | Descriptor Code: 5.113 | Issued Date: 02/11/19 |
| | | Rescinds: 8.19 | Issued: 02/13/18 |

1 **IN-SERVICE EDUCATION**

2 In-service education¹ is a program of planned activities designed to increase the competencies needed
3 by all personnel in the performance of their responsibilities. Competencies are defined as the knowledge,
4 skills, and attitudes which enable personnel to perform their tasks with maximum effectiveness to
5 increase student achievement.

6 *Administrative and Supervisory Employees*

7 Administrative and supervisory employees shall show evidence of continual professional growth by
8 attendance at in-service programs and institutes, studying professional literature, meeting with other
9 professionals for discussion, and otherwise keeping abreast of research in methodology, curriculum, and
10 student growth and development.

11 Each principal and administrator shall be required to annually earn 14 hours with the Tennessee
12 Academy of School Leadership (TASL).²

13 *Certified Employees*

14 The in-service education plan shall be developed in accordance with state law and Tennessee State Board
15 of Education guidelines.

16 The Director of Schools shall involve the administrative team in the formulation of the system-wide staff
17 development program.

18 In-service credit shall not be given while performing duties which are required as part of regular teaching
19 assignments or participating in activities paid by the Board.

20 *Classified Personnel*

21 The immediate supervisors of classified personnel shall be responsible for providing in-service trainings.
22 Absences to attend meetings relating to the employee's job description may be granted by the Director
23 of Schools without loss of pay to the employee.

24 **PROFESSIONAL LEARNING PROGRAM**

25 Professional learning programs and activities shall reflect the Standards for Professional Learning³ as
26 listed below and shall reflect the needs identified in school improvement plans.

1 The Director of Schools shall involve central office personnel and other employees as needed in
 2 developing the system-wide professional learning program and shall recommend it to the Board for
 3 approval.

4 **Standards for Professional Learning**

5 **LEARNING COMMUNITIES:** Professional learning that increases educator effectiveness and results
 6 for all students occurs within learning communities committed to continuous improvement, collective
 7 responsibility, and goal alignment.

8 **LEADERSHIP:** Professional learning that increases educator effectiveness and results for all students
 9 requires skillful leaders who develop capacity, advocate, and create support systems for professional
 10 learning.

11 **RESOURCES:** Professional learning that increases educator effectiveness and results for all students
 12 requires prioritizing, monitoring, and coordinating resources for educator learning.

13 **DATA:** Professional learning that increases educator effectiveness and results for all students uses a
 14 variety of sources and types of student, educator, and system data to plan, assess, and evaluate
 15 professional learning.

16 **LEARNING DESIGNS:** Professional learning that increases educator effectiveness and results for all
 17 students integrates theories, research, and models of human learning to achieve its intended outcomes.

18 **IMPLEMENTATION:** Professional learning that increases educator effectiveness and results for all
 19 students applies research on change and sustains support for implementation of professional learning for
 20 long term change.

21 **OUTCOMES:** Professional learning that increases educator effectiveness and results for all students
 22 aligns its outcomes with educator performance and student curriculum standards.

Legal References

1. State Board of Education Policy 5.200; TCA 49-1-214(b); TCA 49-6-3004(c)(1); Public Acts of 2018, Chapter No. 937
2. TCA 49-5-5703(a)
3. State Board of Education Policy 5.200

Cross References

School Calendar 1.800
 Curriculum Development 4.200
 Reporting Student Progress 4.601
 Staff Time Schedules 5.602
 Staff Meetings 5.603

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Personnel Records | Descriptor Code: 5.114 | Issued Date: 02/11/19 |
| | | Rescinds: 8.11 | Issued: 02/13/18 |

The Director of Schools or his/her designee(s) shall be authorized to maintain personnel records and to permit inspection of the same, except for matters deemed confidential by law. The following personnel records shall be maintained for all employees as appropriate:

1. Employee applications and contracts;
2. Professional certificates and other documents required by state and federal laws and regulations;¹
3. Evaluations;
4. Cumulative information files; and
5. INS Form I-9.²

The following guidelines shall be followed:

1. Information contained in personnel records shall be limited to job-related matters;
2. The Director of Schools shall be responsible for notifying all employees of the types of records kept and uses made of such records;
3. Employees shall be granted an opportunity to respond in writing to material placed in records;
4. Employee records are public records, except for matters deemed confidential by law, and shall be open for inspection during regular business hours;³
5. In accordance with federal law, the district shall release information regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents upon request for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their child at that school;⁴
6. Members of the public may not obtain the home telephone number, personal cell phone number, bank account information, social security number, residential street address, driver license information (except where driving or operating a vehicle is considered to be a part of the employee's duties), or the results of individual teacher evaluations of an employee or of the immediate family members or household members of an employee, unless release of this information is expressly authorized by the employee;⁵
7. A record of the person inspecting and the date of inspection shall be recorded; and
8. Copies of records may be made under rules determined by the Director of Schools.⁶

Legal References

1. TCA 49-2-301(b)(1)(M)
2. Immigration Reform and Control Act of 1986, Pub. L. No. 99-603, 100 Stat. 3359
3. TCA 10-7-503, 504
4. 20 USCA § 6311(g)(2)
5. TCA 10-7-504(f)(1)
6. TCA 10-7-506; TCA 49-2-301(b)(1)(CC)

Cross References

School District Records 1.407

| Maryville City Board of Education | | | |
|--|--|-----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Teacher Effect Data | Descriptor Code: 5.1141 | Issued Date: 02/11/19 |
| | | Rescinds: 9.14 | Issued: 02/13/18 |

- 1 The estimates of specific teacher effects on the educational progress of students shall not be a public
- 2 record and shall be made available only to the specific teacher, school board members, and the teacher's
- 3 appropriate administrators, as designated by the Board, for the fulfillment of lawful functions.¹
- 4

Legal References

1. TCA 49-1-606(b); TCA 10-7-504(a)(23)

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Assignment / Transfer | Descriptor Code: 5.115 | Issued Date: 02/11/19 |
| | | Rescinds: 8.5 | Issued: 03/19/18 |

1 **ASSIGNMENT**

2 The Director of Schools shall assign personnel to the various schools or departments by June 15 preceding the
3 school year for which such persons are employed while allowing each principal or immediate supervisor to assign
4 more specific responsibilities within each school.¹

5 Assignment of employees shall be made by the Director of Schools based on the recommendation of the
6 appropriate supervisor and/or building principal. The assignment shall be determined by the applicant's training,
7 experience, and ability to perform the duties of the position and in the best interest of the schools.

8 Extra assignments for which supplements are provided and upon which initial employment was based may not be
9 relinquished in part by the employee without the approval of the person making the assignment. Other assignments
10 for which supplemental salary is provided shall be made on an annual contract basis.

11 **TRANSFER (to move from one school or administrative unit to another)**

12 The Director of Schools shall transfer employees as necessary for the efficient operation of the schools.²
13 Transfers shall be non-discriminatory and shall not be arbitrary or capricious. The Director of Schools is
14 responsible for developing and disseminating procedures for transfers.

15 **REASSIGNMENT (to move to another assignment within the same school or administrative unit)**

16 Reassignments shall be non-discriminatory and shall not be arbitrary or capricious. Employees shall be reassigned
17 as necessary for the efficient operation of the schools. Reassignments shall be made by the employee's immediate
18 supervisor.

Legal References

1. TCA 49-2-301(b)(1)(L); TCA 49-5-401
2. TCA 49-2-301(b)(1)(EE); TCA 49-5-510; TCA 49-2-303(b)(3)

Cross References

Nepotism 1.108
Job Descriptions 5.103
Recruitment of Employees 5.105

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Staff Positions | Descriptor Code: 5.116 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

1 CREATION OF POSITION

2 All staff positions shall be approved through the budget process in accordance with an organizational
3 plan submitted by the Director of Schools.¹ The Director of Schools shall, when deemed necessary,
4 amend the organization plan with approval from the Board. The Board shall approve positions and
5 provide the appropriate funding within the budget.

6 The Director of Schools may revise the organizational plan as long as budgetary amounts are not
7 exceeded and Board policy is not violated. In the event of reorganization, the Director of Schools will
8 adhere to all applicable reduction in force guidelines and will inform, in a timely manner, each member
9 of the Board of the change and include the change in the Director's report at the next Board meeting. If
10 change in personnel creates additional encumbrance on a future budget, prior approval of the Board is
11 required.

12 REDUCTION IN FORCE

13 When it becomes necessary to reduce the number of positions in the system because of a decrease in
14 enrollment or for other good reasons, the Board shall abolish the positions. The Director of Schools shall
15 dismiss such employees as may be necessary.²

16 Certified Personnel

17 Reductions in staff shall be made in an attempt to have the least detrimental effect on children. In general,
18 this objective dictates a staff reduction policy which:

- 19 1. Retains the most effective teachers;
- 20 2. Avoids undue increases in class size; and
- 21 3. Provides consideration for the exceptional teacher without exclusive emphasis on seniority.

22 The elimination of a position does not necessarily mean the person occupying the position will be
23 dismissed. When an employee is released, the Director of Schools shall make the decision based upon a
24 composite of the following criteria:

- 25 1. Effectiveness in teaching and in related professional responsibilities evidenced by teacher
26 evaluation;
- 27 2. Adaptability to other assignments (academic and extracurricular);
- 28 3. Evidence of professional growth as well as specialized or advanced training;

1 4. Previous history of grade levels and subject areas taught; and

2 5. Type, length, and quality of service made to the teaching profession and the school system.

3 When a teacher is released because of reduction in staff, the teacher shall be given written notice of
4 release explaining the circumstances or conditions making dismissal necessary.

5 **Classified Personnel**

6 When a non-licensed employee is released because of a reduction in the number of support positions,
7 the Director of Schools shall give the employee written notice of dismissal explaining the circumstances
8 or conditions making termination of employment necessary.³

9 **RECALL**

10 The Director of Schools shall develop procedures for re-employment of tenured teachers as required by
11 law.^{3,4}

Legal References

1. OP Tenn. Atty. Gen. 93-66 (November 29, 1993)
2. TCA 49-5-409(c); TCA 49-2-301(b)(1)(EE); TCA 49-5-511(b)(1).
3. TCA 49-5-511(b)(1)—(4)
4. TCA 49-5-511(b)(4)

Cross References

Recruitment of Employees 5.105
Supervision 5.108

| Maryville City Board of Education | | | |
|---|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially in September | Descriptor Term: Teacher Tenure | Descriptor Code: 5.117 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

1 *General*

2 To attain tenure status,¹ a teacher must: (1) meet tenure eligibility requirements; (2) be renewed and recommended
3 by the Director of Schools; and (3) receive a majority vote of the Board.

4 **TENURE ELIGIBILITY²**

5 Teachers that meet the following requirements are eligible for tenure:

- 6 1. Has a degree from an approved four-year college or any career and technical teacher who has the
7 equivalent amount of training established and is licensed by the State Board of Education;
- 8
- 9 2. Holds a valid teacher license issued by the State Board of Education, based on training covering the
10 subjects or grades taught;
- 11
- 12 3. Has completed a probationary period of five (5) school years or not less than forty-five (45) months
13 within the last seven-year period, the last two (2) years being employed in a regular teaching position
14 rather than an interim teaching position; and
- 15
- 16 4. Has received evaluations demonstrating an overall performance effectiveness level of “above
17 expectations” or “significantly above expectations” as provided in the evaluation guidelines adopted by
18 the State Board of Education, during the last two (2) years of the probationary period.

19 **ACQUISITION OF TENURE STATUS**

20 Once a teacher is eligible for tenure, he/she shall be either recommended by the Director of Schools for tenure or
21 nonrenewed. If tenure is denied by the Board, the teacher shall be dismissed.³

22 The following additional guidelines shall apply:

- 23 1. The Director of Schools will recommend persons eligible for tenure at a board meeting in ample time to
24 provide notice of non-renewal to each teacher not recommended for tenure within five (5) business days
25 following the last instructional day for the school year.⁴
- 26
- 27 2. The decision to grant tenure is solely within the discretion of the Board.⁵ Only those teachers who receive a
28 majority vote of the membership of the Board will be granted tenure.⁶
- 29
- 30 3. A teacher who is eligible for tenure, but tenure is denied by the Board, shall not be rehired beyond the current
31 contract year.⁷

1 **TEACHER RETURNING TO EMPLOYMENT**

2 A teacher who has acquired tenure status in the school system and later resigns shall serve a two-year probationary
3 period upon reemployment, unless the probationary period is waived by the Board upon request of the Director
4 of Schools. Upon completion of the two-year period, the teacher shall either be recommended by the Director of
5 Schools for tenure or non-renewed. If tenure is denied by the Board, the teacher shall be dismissed.⁷

6 **TEACHER TRANSFERRING FROM ANOTHER SCHOOL SYSTEM⁸**

7 A tenured or nontenured teacher with five (5) or more years of prior service that transfers from another school
8 system to begin employment in the Maryville School System shall serve the regular probationary period. The
9 Board, upon the recommendation of the Director of Schools, may waive the probationary period and grant tenure
10 status or shorten the probationary period.

11 If a nontenured teacher with fewer than five (5) years of service transfers from another school system, such teacher
12 shall not be eligible for tenure status until the teacher has served at least five (5) years when service in both school
13 systems is counted.

14 All tenure decisions made under this section are subject to the requirements concerning overall teacher
15 performance effectiveness levels.

16 **TEACHER RETURNING TO PROBATIONARY STATUS⁹**

17 Any tenured teacher who receives two (2) consecutive years of evaluations demonstrating an overall performance
18 effectiveness level of “below expectations” or “significantly below expectations” shall be returned to probationary
19 status by the Director of Schools until the teacher has received two (2) consecutive years of evaluations
20 demonstrating an overall performance effectiveness level of “above expectations” or “significantly above
21 expectations.”

22 When a teacher who has returned to probationary status has received two (2) consecutive years of evaluations
23 demonstrating an overall performance effectiveness level of “above expectations” or “significantly above
24 expectations,” the teacher is again eligible for tenure and shall be either recommended by the Director of Schools
25 for tenure or nonrenewed; provided, however, that the teacher shall be dismissed if tenure is denied by the Board.

26 This section does not apply to teachers who acquired tenure prior to July 1, 2011.

Legal References

1. TCA 49-5-501(11)(A)
2. TCA 49-5-503
3. TCA 49-5-504(b)
4. TCA 49-5-409
5. TCA 49-2-203(a)(1)
6. TCA 49-2-202(g)
7. TCA 49-5-504(b)
8. TCA 49-5-509
9. TCA 49-5-504(e), (f)

Maryville City Board of Education

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| Monitoring: Review: Biennially, in September | Descriptor Term: Background Investigations | Descriptor Code: 5.118 | Issued Date: 02/11/19 |
| | | Rescinds: 8.29 | Issued: 02/13/18 |

1 *General*

2 Background checks shall be required for applicants, employees, contract workers, and other persons
3 working unsupervised in close proximity to children.¹

4 The Director of Schools/designee shall develop any necessary corresponding procedures.

5 **APPLICANTS AND EMPLOYEES**

6 To ensure the safety and welfare of students and staff, the district shall require criminal history
7 background checks and fingerprinting of applicants for teaching positions and any other positions that
8 require proximity to children. Further, applicants who (1) have been identified by the Department of
9 Children's Services as perpetrators of child abuse, severe child abuse, child sexual abuse, or child
10 neglect, or who pose an immediate threat to the health, safety, or welfare of children; or (2) who are
11 listed on the state's abuse of vulnerable persons registry maintained by the Department of Health shall
12 not be employed.² Any costs incurred to perform these background checks and fingerprinting shall be
13 paid by the applicant.³

14 Background checks shall be required of these employees at least once every five (5) years after the date
15 of hire.¹ The Board shall cover the costs of all subsequent, required background checks.

16 **USE AND DISSEMINATION**

17 Fingerprints or other approved forms of positive identification shall be submitted with all requests for
18 criminal history record checks for non-criminal justice purposes.⁴ The Director of Schools shall ensure
19 the Originating Agency Identifier number is on file at all times.

20 Tennessee and FBI Criminal History Record Information ("CHRI") obtained by the district shall be
21 solely used to verify criminal violation(s) and shall not be disseminated. Results shall be considered
22 confidential and only accessible to district personnel identified by the Director of Schools. CHRI shall
23 only be accessed by authorized personnel in the performance of their duties and shall never be released
24 to the public.

25 All persons directly associated with the accessing, maintaining, processing, dissemination, or
26 destruction of CHRI shall sign an awareness statement and shall indicate that they have been specially
27 trained on the subject. The training shall provide those with access to CHRI with a working knowledge
28 of federal and state regulations and laws governing the security and processing of criminal history
29 information. The Director of Schools is responsible for ensuring that authorized personnel receive such
30 training within sixty (60) days of employment or job assignment and every three (3) years.

1 **RETENTION AND SECURITY**

2 The Director of Schools shall develop procedures to ensure CHRI is stored in a secure location. Areas
3 in which CHRI is processed and handled shall be restricted to authorized personnel identified by the
4 Director of Schools. The area shall be out of the view of the public and unauthorized personnel. The
5 Director of Schools shall maintain a list of all employees who have access to, can process, disseminate,
6 and/or destroy CHRI.

7 **DISPOSAL OF CHRI**

8 When CHRI is no longer needed, it shall be destroyed by burning, shredding, or other methods
9 rendering the information unreadable. Record destruction shall be conducted under the supervision of
10 the Director of Schools.

11 **MISUSE**

12 Employees who misuse CHRI or violate this policy shall be subject to disciplinary action up to and
13 including termination. Any employee with knowledge of misuse shall immediately report a violation to
14 the Director of Schools.
15

Legal References

1. Public Acts of 2018, Chapter No. 1006
2. TCA 49-5-406(a)(1); TCA 49-5-403;
TCA 49-5-413(a)(2), (e)
3. TCA 49-5-413(c)
4. 34 USCA § 40316

Cross References

School Volunteers 4.501
Application and Employment 5.106

Maryville City Board of Education

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|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Separation Practices for Tenured Teachers | Descriptor Code: 5.200 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

1 **SUSPENSION PENDING AN INVESTIGATION¹**

2 The Director of Schools may suspend a teacher at any time that may seem necessary, pending investigation, or
3 final disposition of a case before the Board or an appeal. If the matter under investigation is not the subject of an
4 ongoing criminal investigation or a department of children's services investigation, and if no charges for dismissal
5 have been made, a suspension pending investigation shall not exceed ninety (90) days in duration. Under no
6 circumstances shall the Director of Schools suspend a teacher with pay. If vindicated or reinstated, the teacher
7 shall be paid full salary for the period of suspension.

8 **SUSPENSION OF THREE DAYS OR LESS^{2,3}**

9 The Director of Schools or his/her designee may suspend a teacher for incompetence, inefficiency, neglect of duty,
10 unprofessional conduct, and insubordination. Before an employee is suspended, he/she shall be: (1) provided with
11 written notice, including the reasons for the suspension along with an explanation of the evidence; (2) given an
12 opportunity to respond to the Director of Schools at a conference, if requested within five (5) days; and (3) given
13 a written decision of the suspension within ten (10) days. Both parties may be represented by counsel at the
14 conference, which shall be recorded.

15 Under no circumstances shall a Director of Schools suspend a tenured teacher with pay. If reinstated, the tenured
16 teacher shall be paid full salary for the period of suspension, unless suspension without pay is deemed to be an
17 appropriate penalty.

18 **DISMISSAL OR SUSPENSIONS GREATER THAN THREE DAYS⁴**

19 The Board shall maintain a list of qualified individuals who have indicated a willingness to act as impartial hearing
20 officers as defined under Tennessee law.

21 When charges are made against a tenured teacher, charging the teacher with offenses that may justify dismissal or
22 a suspension greater than three days, the charges shall be made in writing, specifically stating the offenses that are
23 charged, and shall be signed by the party or parties making the charges.

24 If, in the opinion of the Board, the charges are of such nature as to warrant the dismissal or a suspension greater
25 than three days of the teacher, the Director of Schools shall give the teacher a written notice of this decision, a
26 copy of the charges against the teacher, and a copy of a form provided by the Commissioner of Education advising
27 the teacher of his/her legal duties, rights, and recourse.

28 A tenured teacher who has been given notice of charges against him/her may within thirty (30) days after receipt
29 of notice give written notice to the Director of Schools of his/her request for a hearing.

30 The Director of Schools shall, within five (5) days after receipt of request, assign a hearing officer from the list
31 maintained by the Board.

The hearing officer shall notify the parties, or their attorney, of the officer's assignment and direct the parties or the attorneys for the parties, or both, to appear before the hearing officer for simplification of issues and the scheduling of the hearing. That hearing shall be set no later than thirty (30) days following receipt of the initial request for a hearing. In the discretion of the hearing officer, all or part of any prehearing conference may be conducted by telephone if each participant has an opportunity to participate, be heard, and to address proof and evidentiary concerns. The hearing officer is empowered to issue appropriate orders and to regulate the conduct of the proceedings.

Either party may appeal to the Board an adverse ruling by giving written notice of appeal within ten (10) working days of the hearing officer's delivery of the hearing officer's written findings and conclusions. The Director of Schools shall prepare a copy of the proceedings, including all transcripts and evidence, documentary or otherwise, and transmit the same to the Board within twenty (20) days of the receipt of the notice of appeal.

The Board shall hear the appeal on the record, and no new evidence may be submitted by either party. The appealing party may appear before the Board to argue why the adverse ruling should be overturned. In no event should such argument last more than fifteen (15) minutes, unless the Board should vote to extend additional time. At the conclusion of the hearing, any member of the Board may vote to sustain the decision of the hearing officer, send the record back for additional evidence, revise the penalty, or reverse the decision. The Board shall render its decision within ten (10) working days after the conclusion of the hearing. In the event that the decision of the Board is appealed to the chancery court, the Board shall transmit the entire record prepared by the Director and reviewed by the Board to the chancery court for its review.

RESIGNATION

A teacher shall give the Director of Schools notice of resignation at least thirty (30) days before the effective date of the resignation. A teacher who fails to give such notice, in the absence of justifiable extenuating circumstances, shall forfeit all tenure status. The Board may waive the thirty (30) days' notice requirement and permit a teacher to resign in good standing.⁵

The conditions under which it is permissible to break a contract with the Board are as follows:⁶

1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified statement of a physician approved by the Board; or
2. The release by the Board of the teacher from the contract that the teacher has entered into with the Board.

Any teacher on leave shall notify the Director of Schools in writing at least thirty (30) days prior to the date of return if the teacher does not intend to return to the position from which he/she has taken leave. Failure to render such notice may be considered a breach of contract.⁷

Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with the Commissioner and request the suspension of a teacher's license.⁸

RETIREMENT

Retirement shall mean a termination of services under conditions that will allow the employee to draw benefits from retirement plans and/or Social Security benefits. Employees eligible for retirement benefits may elect to retire at any age according to the provisions of the retirement system.

- 1 Central office personnel shall assist employees in securing retirement benefits; however, it shall be the
- 2 responsibility of the retiring employee to provide verification of eligibility in writing from TCRS to the central
- 3 office. It shall be the responsibility of the retiring employee to file for benefits.
- 4 Employees who retire under TCRS may be eligible to continue as a member of the group plan for medical
- 5 insurance under the conditions set forth in the Maryville City Schools Retirement Health Care Plan.
- 6 Employees who retire under TCRS may be employed up to one hundred twenty (120) days per year without loss
- 7 of retirement benefits.

8

Legal References

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301(b)(1)(EE), TCA 49-5-512(d)
3. TCA 49-5-511(a)(2)
4. TCA 49-5-511—513
5. TCA 49-5-508(a)
6. TCA 49-5-508(c)
7. TCA 49-5-706
8. TCA 49-5-411(b)
9. TCA 8-36-805
10. TCA 8-36-821

Cross References

Public Hearings 1.401
Recommendations and File Transfers 5.203

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Separation Practices for Non-Tenured Teachers | Descriptor Code: 5.201 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

1 SUSPENSION PENDING AN INVESTIGATION¹

2 The Director of Schools may suspend a teacher at any time that may seem necessary, pending investigation, or
3 final disposition of a case before the Board or an appeal. If the matter under investigation is not the subject of an
4 ongoing criminal investigation or a department of children's services investigation, and if no charges for dismissal
5 have been made, a suspension pending investigation shall not exceed ninety (90) days in duration. Under no
6 circumstances shall the Director of Schools suspend a non-tenured teacher with pay. If vindicated or reinstated,
7 the non-tenured teacher shall be paid full salary for the period of suspension.

8 SUSPENSION OF THREE DAYS OR LESS²

9 A Director of Schools or his/her designee may suspend a teacher for incompetence, inefficiency, neglect of duty,
10 unprofessional conduct, and insubordination. Before an employee is suspended, he/she shall be: (1) provided with
11 written notice, including the reasons for the suspension along with an explanation of the evidence; (2) given an
12 opportunity to respond to the Director at a recorded conference, if requested within five (5) days; and (3) given a
13 written decision of the suspension within ten (10) days. Both parties may be represented by counsel at the
14 conference, which shall be recorded.

15 Under no circumstances shall a Director of Schools suspend a non-tenured teacher with pay. If reinstated, the
16 non-tenured teacher shall be paid full salary for the period of suspension, unless suspension without pay is deemed
17 to be an appropriate penalty.

18 DISMISSAL OR SUSPENSION GREATER THAN THREE DAYS²

19 The Director of Schools may dismiss or suspend for more than three days any non-tenured teacher during the
20 contract year for incompetence, inefficiency, insubordination, improper conduct, or neglect of duty after giving
21 the non-tenured teacher, in writing, due notice of the charges.

22 The Director of Schools shall give the non-tenured teacher an opportunity for a full and complete hearing before
23 an impartial hearing officer.

24 The Board will appoint an impartial hearing officer to conduct such hearings. The hearing officer will hear the
25 case and the employee shall have the right to:

- 26 1. be represented by counsel;
- 27
- 28 2. call and subpoena witnesses;
- 29
- 30 3. examine all witnesses; and
- 31
- 32 4. require that all testimony be given under oath.

Factual findings and decisions in all dismissal cases shall be reduced to written form and delivered to the affected employee within ten (10) working days following the close of the hearing. The employee may appeal the decision to the Board within ten (10) working days of the hearing officer rendering the written decision to the employee. Written notice of appeal to the Board shall be given to the Director of Schools. Within twenty (20) days of receipt of notice, the Director of Schools shall prepare a copy of the proceedings, transcript, documentary, and other evidence presented and provide the Board a copy of the same.

The Board shall hear the appeal. No new evidence shall be introduced. The non-tenured teacher may appear in person or be represented by counsel and argue why the decision should be modified or reversed. The Board shall take one of the following actions:

1. sustain the decision;
2. send the record back if additional evidence is necessary; or
3. revise the penalty or reverse the decision.

Before any decision to dismiss is made, a majority of the membership of the Board shall concur in sustaining the charges. The Board shall render a decision on the appeal within ten (10) working days after the conclusion of the hearing.

The Director of Schools shall also have the right to appeal any adverse ruling by the hearing officer in same manner as the non-tenured teacher.

Within twenty (20) days after receipt of notice of the decision of the Board, either party may appeal to the chancery court in the county where the school system is located. The Board shall provide the entire record of the hearing to the court.

NONRENEWAL

Non-tenured teachers are subject to the same rules and regulations and are entitled to the privileges of employment enjoyed by tenured teachers except that they have no claim upon continuing employment or tenure protections.

The principal is responsible for discussing deficiencies as part of the evaluation process with the non-tenured teacher and providing assistance for overcoming these deficiencies.

The Director of Schools is under no obligation to re-employ non-tenured teachers at the end of their contract period. Written notice of non-renewal shall be delivered or sent to the employee by mail so that it will be received by the employee within five (5) business days following the last instructional day for the school year.³

RESIGNATION

A teacher shall give the Director of Schools notice of resignation at least thirty (30) days before the effective date of the resignation.⁴ The Board may waive the thirty (30) days-notice requirement and permit a teacher to resign in good standing.

The conditions under which it is permissible to break a contract with the Board are as follows:⁵

1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified statement of a physician approved by the Board; and

2. The release by the Board of the teacher from the contract which the teacher has entered into with the Board.

Any teacher on leave shall notify the Director of Schools in writing at least thirty (30) days' prior to the date of return if the teacher does not intend to return to the position from which he/she has taken leave. Failure to render such notice may be considered a breach of contract.⁶

Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with the Commissioner and request the suspension of a teacher's certificate. After the Commissioner has provided the teacher an opportunity for defense during a hearing, the Commissioner may suspend the certificate for no less than thirty (30) and no more than three hundred sixty-five (365) days.⁷

RETIREMENT

Retirement shall mean a termination of services under conditions which will allow the employee to draw benefits from retirement plans and/or social security benefits. Employees eligible for retirement benefits may elect to retire at any age according to the provisions of the retirement system

Central office personnel shall assist employees in securing retirement benefits; however, it shall be the responsibility of the retiring employee to provide verification of eligibility in writing from TCRS to the central office. It shall be the responsibility of the retiring employee to file for benefits.

Employees who retire under TCRS may be eligible to continue as a member of the group plan for medical insurance under the conditions set forth in the Maryville City Schools Retirement Health Care Plan.

Employees who retire under TCRS may be employed up to one hundred twenty (120) days per year without loss of retirement benefits.

(Note: Nonrenewal of non-tenured teachers after the contract year is not suspension or dismissal and does NOT follow the suspension/dismissal procedures outlined in this policy. Rather, nonrenewal of non-tenured teachers after the contract year follows the nonrenewal procedures outlined in this policy.)

Legal References

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301(b)(1)(GG); TCA 49-5-512(d)
3. TCA 49-5-409
4. TCA 49-5-508
5. TCA 49-5-411(a)
6. TCA 49-5-706
7. TCA 49-5-411(b)(4)
8. TCA 8-36-805
9. TCA 8-36-821

Cross References

Public Hearings 1.401
Recommendations and File Transfers 5.203

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Separation Practices for Classified Employees | Descriptor Code: 5.202 | Issued Date: 02/11/19 |
| | | Rescinds: 8.15 | Issued: 02/13/18 |

1 SUSPENSION

2 A Director of Schools or his/her designee may suspend an employee at any time when deemed necessary.¹
3 Employees who are suspended shall receive written notice informing the employee of the date(s) of suspension.

4 Under no circumstances shall a Director of Schools suspend an employee with pay. If reinstated, the employee
5 shall be paid full salary for the period of suspension, unless suspension without pay is deemed to be an appropriate
6 penalty.

7 DISMISSAL

8 All classified employees are employed at the will of the Director of Schools. The Director of Schools may dismiss
9 any classified employee during the year for any lawful reason. Employees who are dismissed shall receive written
10 notice informing the employee of the date of termination.

11 RESIGNATION

12 Employees who are employed in a position for which no teaching license is required are requested to make written
13 notice of resignation at least ten (10) working days in advance of the effective date of the resignation. The ten
14 (10) working days may be waived by the Director of Schools for justifiable reason.

15 RETIREMENT

16 Retirement shall mean a termination of services under conditions which will allow the employee to draw benefits
17 from retirement plans and/or social security benefits. Employees eligible for retirement benefits may elect to retire
18 at any age according to the provisions of the retirement system.

19 Central office personnel shall assist employees in securing retirement benefits; however, it shall be the
20 responsibility of the retiring employee to obtain verification of eligibility in writing from TCRS to the central
21 office. It shall be the responsibility of the retiring employee to file for eligible benefits

22 Employees who retire under TCRS may be eligible to continue as a member of the group plan for medical
23 insurance under the conditions set forth in the Maryville City Schools Retirement Health Care Plan.

24 Employees who retire under TCRS may be employed up to one hundred twenty (120) days per year without loss
25 of retirement benefits.

Legal References

1. TCA 49-2-301(b)(1)(EE)—(FF)

Cross References

Recommendations and File Transfers 5.203

Maryville City Board of Education

| | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Recommendations and File Transfers | Descriptor Code: 5.203 | Issued Date: 02/11/19 |
| | | Rescinds: 8.31 | Issued: 02/13/18 |

Other than the routine transmission of administrative and personnel files, district employees are prohibited from assisting a school employee, contractor, or agent in obtaining a new job if the individual knows, or has probable cause to believe, that the person seeking a job change engaged in sexual misconduct regarding a minor or student in violation of the law.¹

These requirements shall not apply if:

1. The information giving rise to probable cause has been properly reported to the appropriate law enforcement agency; and
2. The matter has been officially closed in one of the following ways:
 - a. The prosecutor or police have investigated the allegations and notified school officials that there is insufficient information to establish probable cause;
 - b. The employee, contractor, or agent has been charged and either acquitted or exonerated; or
 - c. The case remains open, and there have been no charges or indictment filed within four (4) years of the date the information was reported to the law enforcement agency.

Neither the district nor the Board shall enter into, or require a current or former employee to enter into, a non-disclosure agreement during a settlement for any act of sexual misconduct.¹

The Director of Schools shall develop administrative procedures to enforce this policy and comply with federal and state law.

Legal References

1. 20 USCA § 7926; Public Acts of 2018, Chapter No. 938

Cross References

Application and Employment 5.106
 Separation Practices for Tenured Teachers 5.200
 Separation Practices for Non-Tenured Teachers 5.201
 Separation Practices for Non-Certified Employees 5.202
 Child Abuse and Neglect 6.409

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Emergency and Legal Leave | Descriptor Code: 5.301 | Issued Date: 02/11/19 |
| | | Rescinds: 8.8 | Issued: 02/13/18 |

1 **EMERGENCY LEAVE/LEAVE DURING THE WORKDAY**

2 An employee must have permission from his/her immediate supervisor in order to leave the worksite
3 during the workday. The employee is required to sign out and sign back in upon returning. Teachers
4 are encouraged to utilize their planning time to reduce impact on students. If the time away exceeds 90
5 minutes, then the employee must take a half day sick or personal leave.

6 The immediate supervisor shall keep a tally of the amount of time individual employees are released
7 under this policy. If the amount becomes excessive, then the employee may be charged with one (1) day
8 of applicable leave.

9 **JURY DUTY**

10 If an employee is summoned for jury duty, he/she shall present written evidence that he/she has been
11 summoned to serve on a jury. The employee shall be entitled to the usual compensation, less the amount
12 paid by the court.²

13 **COURT APPEARANCES**

14 If an employee appears in court as a plaintiff, defendant, witness,³ or voluntarily appears on behalf of
15 family or friends, personal leave or leave without pay shall be granted.

Legal References

1. TCA 49-5-711(c)
2. TCA 22-4-106(b)
3. TCA 16-15-708; Public Acts of 2018, Chapter No.
747

Cross References

Short Term Leaves of Absence 5.300

Maryville City Board of Education

| | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Sick Leave | Descriptor Code: 5.302 | Issued Date: 02/11/19 |
| | | Rescinds: 8.8 | Issued: 02/13/18 |

Sick leave shall be defined as: illness of a teacher from natural causes or accident, quarantine, or illness or death of a member of the immediate family of a teacher, including the teacher's wife or husband, parents, grandparents, children, grandchildren, brothers, sisters, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, and sister-in-law.²

An employee claiming sick leave may be required to file a certificate from a physician stating the nature of the illness and the length of time the employee was unable to work. An employee absent to five (5) consecutive working days shall submit a physician's statement verifying illness or injury of the employee or immediate family member.

The principal shall notify the Director of Schools' office at once if an employee is sick beyond the limit of his/her sick leave accumulation.

Permanent, cumulative sick leave records for each active employee shall be kept in the Director of Schools' office.

CERTIFIED PERSONNEL

Certified personnel shall earn one (1) day of sick leave for each month employed during the school year, and these days shall accumulate for an unlimited number of days.¹

A teacher, upon employment, may transfer his/her accumulated sick leave from another Tennessee school system, provided that the Director of Schools of the system in which the accumulated leave was held provides notarized verification.³

CLASSIFIED PERSONNEL

Classified personnel shall earn one (1) day of sick leave for each month an employee is employed.

All unused sick leave accumulated by the employee shall be forfeited at separation of employment, except in the case of retirement.

SICK LEAVE BANKS

The purpose of the sick leave banks are to provide sick leave to all employees⁴ who have suffered an unplanned personal illness, injury, disability, or quarantine and whose personal sick leave is exhausted.

Sick leave bank trustees shall be appointed and shall operate as the governing body of the sick leave banks and shall enact rules and regulations consistent with state law.⁵ Employees wishing to participate shall initially give a maximum of three (3) days of sick leave. These days are to be deducted from the

- 1 employee's personal accumulation and donated to the appropriate sick leave bank. Donations of sick
2 leave to the bank are nonrefundable and nontransferable.⁶
- 3 At any time the number of days in a sick leave bank is less than twenty (20), or one (1) per employee if
4 there are more than twenty (20) members, or at any time deemed advisable, the trustees shall assess each
5 member one (1) or more days of accumulated sick leave. If an employee has no accumulated sick leave
6 at the time of assessment, the first earned days shall be donated as they are accrued by the employee.⁶
- 7 An employee who is a member of a sick leave bank may request an allotment of days (for the employee's
8 personal illness only) in the manner designated by the trustees. The need for these days must be verified
9 by a statement from a doctor.
- 10 By written notice to the trustees, an employee may withdraw from bank participation on June 30th of any
11 year.⁷ Membership withdrawal results in forfeiture of all days contributed.
- 12 The sick leave banks shall be operated in accordance with state law.

Legal References

1. TCA 49-5-710(a)(1)
2. TRR/MS 0520-01-02-.04(2)
3. TCA 49-5-710(a)(5)
4. TCA 49-5-811
5. TCA 49-5-804; TCA 49-5-805
6. TCA 49-5-807
7. TCA 49-5-806

Cross References

Workers' Compensation 3.602
Short Term Leaves of Absence 5.300
Family and Medical Leave 5.305
Physical Assault Leave 5.307

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Personal and Professional Leave | Descriptor Code: 5.303 | Issued Date: 02/11/19 |
| | | Rescinds: 8.8 | Issued: 02/13/18 |

1 Personal and professional leave shall be granted in accordance with the laws of the State of Tennessee
2 and the rules and regulations of the State Board of Education.

3 **PERSONAL LEAVE**

4 **Certified Personnel**

5 Certified personnel shall earn two (2) days of personal leave with pay per school year. Any personal
6 leave remaining unused at the end of a year shall be credited to sick leave.¹

7 Personal leave shall be used for personal reasons. Subject to the following conditions, personal leave
8 may be taken at the discretion of the employee:

- 9 1. Except in an emergency, each employee shall give the principal at least one day's notice in
10 writing of intent to take leave;
- 11 2. The approval of the Director of Schools shall be required:²
 - 12 a. If more than ten percent (10%) of the teachers in any given school request its use on the
13 same day;
 - 14 b. If requested during any prior established student examination period;
 - 15 c. If requested on the day immediately preceding or following a holiday or vacation period;
 - 16 d. If requested during the first week or last two weeks of the school year;
 - 17 e. If personal leave is requested for days scheduled for professional development or in-
18 service training, according to a school calendar adopted by the Board prior to the
19 commencement of the school year; or
 - 20 f. If personal leave is requested for days scheduled for parent-teacher conferences,
21 according to a school calendar adopted by the Board prior to the commencement of the
22 school year.

1 **Classified Personnel**

2 Classified personnel earn one (1) day personal leave with pay per school year. Personal leave may be
3 taken subject to the prior approval of the immediate supervisor. Any personal leave remaining unused
4 at the end of a year shall be credited to sick leave.

5 **PROFESSIONAL LEAVE³**

6 Leave from the regular job assignment may be granted for a limited number of days for professional
7 activities. Such activities may include participation in required or recommended professional growth
8 activities, supervision of field trips, or participation in activities as a representative of the System.

9 Leave requests for participation in meetings sponsored by professional organizations, business and
10 industry, or other employee organizations may be approved at the discretion of the Director of Schools.

11 Compensation from sources other than the school system for individuals on professional leave shall not
12 exceed reasonable expenses. In the event an individual receives compensation in excess of reasonable
13 expenses, personal leave (or vacation) shall be used or other financial arrangements approved.

Legal References

1. TCA 49-5-711(a); TRR/MS 0520-01-02-.04(3)
2. TCA 49-5-711(c)(1)
3. TCA 49-5-205

Cross References

Short Term Leaves of Absence 5.300

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Long-Term Leaves of Absence for Certified Personnel | Descriptor Code: 5.304 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

1 All personnel holding a position that requires a teacher's license shall be granted leave for military
2 service, legislative service, maternity, adoption, recuperation of health, or visitation of a spouse, child,
3 or parent deployed for military duty out of the country who has been granted rest and recuperation leave.
4 Such personnel may be granted leave for educational improvements or other sufficient reasons as
5 determined by the Director of Schools. If granted, such leave shall not result in the forfeiture of
6 accumulated leave credits, tenure status, or other fringe benefits.¹

7 All leaves shall be requested in writing at least thirty (30) days in advance on forms provided by the
8 Director of Schools. The thirty (30)-day notice may be waived or reduced by the Director of Schools
9 upon submission of a certified statement by a physician. The application for leave forms shall require:

- 10 1. A description of the type of leave requested;
- 11 2. The requested dates for beginning and ending the leave; and
- 12 3. A statement of intent to return to the position from which leave is granted.¹

13 Each request for leave must be acted upon by the Director of Schools within fifteen (15) days. Each
14 applicant shall be notified in writing of the action of the director and the beginning and ending dates of
15 the leave which is granted.²

16 All leaves, except military leave, shall be from a specific date to a specific date. However, any leave may
17 be extended by the Director of Schools upon written request from the teacher. Military leave shall be
18 granted for whatever period may be required. The procedure and condition for extending a leave are the
19 same as those used when originally requesting and granting the leave.

20 Leave to visit a spouse, child, or parent deployed for military duty out of the country who has been
21 granted rest and recuperation leave shall be granted for no longer than ten (10) days.³

22 Positions vacated for less than twelve (12) months by teachers on leave shall be filled with an interim
23 teacher while the teacher is on leave. If the teacher returns from leave within twelve (12) months, the
24 interim teacher shall relinquish the position. If the leave exceeds twelve (12) months, the teacher shall
25 be placed in the same or a comparable position upon return.⁴

26 Part-time leaves may be granted by the Director of Schools upon written request for the same conditions
27 as for full-time leave.

28 Any teacher on leave shall notify the Director of Schools at least thirty (30) days prior to the date of
29 return if the teacher does not intend to return to the position from which he/she is on leave. Failure to
30 give such notice shall be considered breach of contract.⁵

1 PAY AND BENEFITS

2 All leave granted in conformance with this policy shall be without pay except as may be covered by
3 sick leave in the case of maternity and recuperative leaves. Employees shall have the opportunity to
4 continue participation, at their own expense, in group insurance plans subject to restrictions of the
5 insuring carrier.
6

Legal References

1. TCA 49-5-702
2. TCA 49-5-703
3. TCA 49-5-704
4. TCA 49-5-705
5. TCA 49-5-706

Cross References

Family and Medical Leave 5.305
Military Leave 5.306
Physical Assault Leave 5.307
Sabbatical Leave 5.308
Legislative Leave 5.309
Interim Employees 5.700

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Family and Medical Leave | Descriptor Code: 5.305 | Issued Date: 02/11/19 |
| | | Rescinds: 8.8 | Issued: 02/13/18 |

1 ELIGIBILITY

2 Anyone who has been employed for at least twelve (12) months by the school district and anyone who
3 has at least 1,250 hours of service (hours used for leave, even FMLA leave, shall not be credited for
4 service for purposes of FMLA eligibility¹) during the previous twelve-month period shall be eligible to
5 use FMLA leave.²

6 GENERAL PRINCIPLES

7 An eligible employee shall be granted, upon request, up to twelve (12) weeks unpaid leave during a fixed
8 calendar year for the following reasons:

- 9 1. The birth of a child;
- 10 2. The placement of a child with the employee for adoption or foster care;
- 11 3. A serious health condition of the employee that makes the employee unable to perform the
12 essential functions of his or her job position;
- 13 4. The care of a spouse, child, or parent of the employee who has a serious health condition; and
- 14 5. Any qualifying circumstances arising out of the fact that a spouse, child, or parent of the
15 employee is on covered active duty or has been notified of an impending call or order to
16 covered active duty in the Armed Forces.

21 Granting of leave under this policy shall be subject to, and in accordance with, the provisions of
22 applicable federal and state laws. An employee may substitute accrued paid leave for unpaid time. Use
23 of accrued paid leave shall run concurrently with and be counted toward the employee's total period of
24 FMLA leave.

25 MATERNITY/PATERNITY LEAVE

- 26 1. *Relationship between FMLA leave and Tennessee Maternity Leave Act*- FMLA leave shall run
27 concurrently with leave provided under the Tennessee Maternity Act, which affords eligible
28 employees leave for a period not to exceed four (4) months for the adoption, pregnancy,
29 childbirth, and nursing of a newborn child.³

2. *Teachers' Leave*- In accordance with state law, any teacher who goes on maternity leave shall be allowed to use all or a portion of the teacher's accumulated sick or annual leave for maternity leave purposes. In order to be eligible to use sick leave, written request of the teacher accompanied by a statement from the teacher's physician verifying pregnancy shall be submitted. Upon verification by a written statement from an adoption agency or other entity handling an adoption, a teacher may also be allowed to use accumulated leave for adoption of a child. If both adoptive parents are teachers employed by the district, however, only one (1) parent is entitled to use such leave.⁴

Spouses who are both eligible employees of the school district are limited to a combined total of twelve (12) workweeks of FMLA leave in a single twelve (12) month period if the leave is taken for the birth and care of a newborn child, for the placement of a child for adoption or foster care, or to care for a parent who has a serious health condition. Under certain circumstances, spouses who share leave for the birth or adoption of a child may be eligible for limited amounts of additional leave for other qualifying FMLA reasons.⁵

LEAVE FOR A SERIOUS HEALTH CONDITION⁶

Eligible employees, upon request, shall be granted up to twelve (12) weeks of unpaid leave when he/she is unable to work because of a serious health condition or to care for an immediate family member with a serious health condition. Granting of such leave shall be subject to the provisions of applicable federal and state laws. Employees shall contact Human Resources to determine if the reason for leave qualifies as FMLA leave. If the leave is foreseeable, the employee shall give thirty (30) days' notice. If the leave is not foreseeable, the employee shall notify Human Resources as soon as practicable—generally, either the same or next business day.

LEAVE FOR MILITARY FAMILY MEMBERS

1. *Qualifying Exigency Leave*⁷ - Eligible employees are entitled to up to twelve (12) workweeks of leave because of any "qualifying exigency" arising out of the fact that the spouse, son, daughter, or parent of the employee, as defined under the FMLA, is on active duty, or has been notified of an impending call to active duty, or has been notified of an impending call to active duty status in the Armed Forces. Qualifying exigencies may include:
 - a. Issues arising from the service member's short notice deployment;
 - b. Military events and related activities (e.g. official ceremonies, support programs);
 - c. Making or updating financial and legal arrangements;
 - d. Attending counseling;
 - e. Taking up to fifteen (15) days leave to spend time with a covered service member who is on short-term rest and recuperation leave during deployment; or
 - f. Attending post-deployment activities.
2. *Military Caregiver Leave*⁸ - An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member or covered veteran with a serious injury or illness is entitled to up to twenty-six (26) workweeks of leave in a "single twelve (12) month period." A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is

otherwise in out-patient status, or is otherwise on the temporary disability retired list for a serious injury or illness.

A covered veteran is an individual who was a member of the Armed Forces at any time during the period of five (5) years preceding the date of the medical treatment, recuperation, or therapy that has a serious injury or illness who is currently receiving medical treatment, recuperation, or therapy.

The calculation of this five (5) year period shall not include the interval of October 28, 2009 through March 8, 2013. The "single twelve (12) month period" for military caregiver leave begins on the first day the employee takes leave for this reason and ends twelve (12) months later. An eligible employee is limited to a combined total of twenty-six (26) workweeks of leave to provide care for a covered service member. The maximum of twenty-six (26) workweeks may include no more than twelve (12) workweeks of leave that is taken for the birth and care of a newborn child, for the placement of a child for adoption or foster care, for care of a parent who has a serious health condition, or for the employee's own serious health condition.

INTERMITTENT LEAVE⁹

Eligible employees may take FMLA leave intermittently when medically necessary to care for a seriously ill family member, because of the employee's own serious health condition, or for the care for a newborn, a newly adopted child, or a newly placed foster care child. When a licensed employee requests foreseeable leave for planned medical treatment and the employee would be on leave for greater than 20% of the total number of working days in the period during which the leave would extend, the school district may require that such employee elect either to take the leave for periods of a particular duration, not to exceed the duration of the planned medical treatment, or to transfer temporarily to an available alternative position offered by the school district for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave.

RESTRICTIONS

1. Notice Requirements

- a. *Employee Notice*¹⁰- For foreseeable leave, the employee shall provide the Director of Schools with at least thirty (30) days written notice before the beginning of the anticipated leave.
- b. *District Notice*- Once it has been established that the leave requested qualifies for FMLA, the Director of Schools/designee shall notify the employee within three (3) business days (absent extenuating circumstances) that any leave taken pursuant to state leave statutes (paid vacation leave, personal leave, sick leave, or workers' compensation) shall run concurrently with FMLA leave.¹¹ The notice may be given orally or in writing. If the notice is oral, it shall be confirmed in writing, no later than the following pay day.¹²

2. Certification Requirement¹³

- a. The Director of Schools may require that a request for leave be supported by certification issued by a health care provider with the following information:
 - i. The date on which the serious health condition commenced;
 - ii. The probable duration of the condition;
 - iii. The appropriate medical facts within the knowledge of the health care provider regarding the condition; and
 - iv. A statement that the eligible employee is needed to care for the son, daughter, spouse, or parent and an estimate of the amount of time that such employee is needed.
- b. If there is any reason to doubt the validity of the certification provided, the Director of Schools may require, at the expense of the school district, an opinion of a second health care provider.

3. Period Near the End of an Academic Term (Professional Employees)¹⁴

- a. If leave is taken more than five (5) weeks prior to the end of the term, the Director of Schools may require the employee to continue taking leave until the end of the term if the leave is at least three (3) weeks of duration and the return of employment would occur during the three (3) week period before the end of the term.
- b. If the leave is taken five (5) weeks prior to the end of the term, the Director of Schools may require the employee to continue taking leave until the end of the term if the leave is greater than two (2) weeks duration and the return to employment would occur during the two (2) week period before the end of the term.

REQUIREMENTS OF THE BOARD¹⁵

1. The employee shall be restored to the same position of employment or an equivalent position with no loss of benefits, pay, or other terms of employment.
2. The employee shall be kept under any group health plan for the duration of the leave.
3. The Board may recover the premium paid under the following conditions:
 - a. The employee fails to return from leave after the period of leave has expired; and
 - b. The employee fails to return to work for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the control of the employee.

Legal References

1. *Hinson v. Tecumseh Products Co.*, 2000 U.S. App. LEXIS 26778, at *1—10 (6th Cir. Oct. 17, 2000)
2. Federal Family and Medical Leave Act of 1993, 29 USCA § 2601, 2611—2619
3. TCA 49-5-702; TCA 4-21-408
4. TCA 49-5-710(a)(2); Public Acts of 2018, Chapter No. 907
5. 29 CFR § 825.120(a)(3)
6. 29 CFR § 825.113
7. 29 CFR § 825.126
8. 29 CFR § 825.124; 29 CFR § 825.127
9. 29 CFR § 825.202
10. 29 CFR § 825.302-825.304
11. 29 CFR § 825.207
12. OP Tenn. Atty Gen 94-006 (Jan 13, 1994); *Plant v. Morton International, Inc.*, 212 F. 3d 929, 932 (6th Cir. 2000)
13. 29 CFR § 825.305-825.313
14. 29 CFR § 825.602
15. 29 USCA § 2614

Cross References

Sick Leave 5.302
 Long-Term Leaves of Absence 5.304

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Military Leave | Descriptor Code: 5.306 | Issued Date: 02/11/19 |
| | | Rescinds: 8.8 | Issued: 02/13/18 |

1 Employees who are members of any reserve component of the Armed Forces of the United States shall
2 be granted leave of absence for all periods of military service during which they are engaged in the
3 performance of duty or training in the service of the state or the United States. Reservists who anticipate
4 military duty during the school year must give written notice to the Director of Schools within thirty (30)
5 days of the beginning of the school year of the dates of the anticipated duty. While performing such duty
6 or training, the employee shall be paid his/her regular salary up to a maximum of twenty (20) working
7 days in any one (1) calendar year, plus such additional days as may result from any call to active state
8 duty.¹

9 An employee called to active duty by the governor to enforce the laws of the state shall be paid his/her
10 regular salary for such time as he/she is engaged in the performance of his/her duty, and any time spent
11 in active state duty shall not count against the twenty-day period of leave allowed for military service.²

12 Request for leaves and extension of leaves shall conform to state law and board policy governing all
13 leaves of absence. Failure to comply with applicable laws and policies shall constitute grounds for
14 dismissal.

15 The employee shall supply a copy of the orders for duty, including the dates of departure and return, to
16 the Director of Schools prior to, or simultaneous with, requesting leave.

Legal References

1. 38 U.S.C.A § 4301 et seq.; TCA 8-33-109; TCA 49-5-702(a); Public Acts of 2018; Chapter No. 886
2. 38 U.S.C.A § 4301 et seq.; TCA 58-1-106(d); TCA 58-1-109

Cross References

Long Term Leaves of Absence for Professional Personnel
5.304

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Physical Assault Leave | Descriptor Code: 5.307 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

1 A teacher who is absent from assigned duties as a result of personal injury caused by physical assault or
 2 other violent criminal acts committed in the course of the teacher's employment duties shall receive
 3 workers' compensation or comparable benefits without loss of accumulated or granted sick, personal, or
 4 professional leave.¹

5 The school system shall continue to pay the teacher's full benefits, including but not limited to health
 6 insurance benefits, until the earlier of the date on which the teacher is released by the teacher's physician
 7 to return to work or the date on which the teacher is determined by the teacher's physician to be
 8 permanently disabled from returning to work.²

9 A signed statement listing the cause of the absence shall be provided by the employee on forms
 10 furnished by the Director of Schools and shall promptly be given to the immediate supervisor in
 11 support of all claims. A certificate from the physician on forms furnished by the Director of Schools
 12 may also be required to verify the extent of the injury.³
 13

Legal References

1. TCA 49-5-714(a)
2. TCA 49-5-714(b)
3. TRR/MS 0520-01-02-.04(4)(b)

Cross References

Worker's Compensation 3.602
 Sick Leave 5.302
 Long Term Leaves of Absence 5.304

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Legislative Leave | Descriptor Code: 5.309 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

1 Certified employees who have been elected to state or local law-making bodies shall be granted personal
2 leave or leave without pay for the time those law-making bodies are in official session or while attending
3 official meetings outside the session.¹

4 In addition, certified employees shall be granted leave to serve on any board or commission of the state
5 when the appointment is made by the Governor or General Assembly. Such leave shall not be counted
6 against any other accumulated leave credits. The employee shall notify the principal at least five (5)
7 days prior to leave being taken.²
8

Legal References

1. TCA 49-5-702(a); TCA 49-5-713
2. TCA 49-5-205

Cross References

Long Term Leaves of Absence for Professional Personnel
5.304

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Vacations and Holidays | Descriptor Code: 5.310 | Issued Date: 02/11/19 |
| | | Rescinds: 8.8 | Issued: 02/13/18 |

1 **HOLIDAYS**

2 The following are established as paid holidays for employees of the district. Depending on the length of
3 an employee's contract, paid holidays are as follows:

4 New Year's Day
5 Martin Luther King, Jr.'s Birthday
6 Good Friday
7 Memorial Day
8 Independence Day
9 Labor Day
10 Thanksgiving and the day following Thanksgiving
11 Christmas Eve
12 Christmas Day

13 Permanent part-time employees (10 month and summer only) shall be granted holidays with pay as noted
14 above when the holiday falls within the term of employment.

15 Equivalent days, as approved by the Director of Schools, may be taken when these days fall on weekends
16 or when school is in session.

17 **VACATIONS**

18 Personnel on 235-day contract are entitle to earn five (5) days of paid vacation time and authorized to
19 carry over five (5) days from year to year.

20 Personnel on a 260-day contract are entitled to earn vacation time according to the following or according
21 to negotiated contract when hired:

- 22 1. In the first five years of employment with MCS, employees each ten (10) days of paid vacation
23 annually and are authorized to carry over ten (10) days from year to year;
- 24 2. In years 6-10, employees earn fifteen (15) days of paid vacation annually and are authorized to
25 carry over fifteen (15) days from year to year;
- 26 3. In years 11-15, employees earn eighteen (18) days of paid vacation annually and are authorized
27 to carry over eighteen (18) days from year to year;
- 28 4. Employees with 16 or more years with MCS earn twenty (20) paid vacation days annually and
29 are authorized to carry over twenty (20) days.

- 1 During the first year of employment, employees earn one day of vacation for each month, not to exceed
- 2 ten (10) days.
- 3 The use of paid vacation days must be approved by the immediate supervisor or Director of Schools.
- 4 Employees will be paid for unused vacation days at their daily rate upon separation of employment.
- 5 Personnel employed for less than 235 days are not eligible for vacation with pay.
- 6 Employees who regularly work less than a full day shall receive vacation or holiday pay equal to the
- 7 usual daily rate of pay.

Cross References

Short Term Leaves of Absence 5.300

| Maryville City Board of Education | | | |
|---|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Personnel Health Examinations / Communicable Diseases | Descriptor Code: 5.400 | Issued Date: 02/11/19 |
| | | Rescinds: 8.5 | Issued: 03/19/18 |

- 1 All employees, prior to entering service, shall present a certificate showing a satisfactory health record.¹
- 2 Employees shall inform the Director of Schools whenever they contract a contagious or communicable
- 3 disease.
- 4 No employee who has any communicable disease shall perform his/her duties in any location where such
- 5 might endanger the health of school children. The Board shall require any employee to submit to a
- 6 physical examination by a licensed medical provider whenever there is reason to believe that the
- 7 employee has any communicable disease.²
- 8 The Director of Schools shall reassign or suspend any employee who is suspected of having a
- 9 communicable disease which might endanger the health of children, pending investigation and final
- 10 disposition of the case before the Board.³
- 11 To assist the Board in making final disposition of the case, the Director of Schools may refer the case to
- 12 the County Health Office or other medical experts.
- 13 The Board shall use the written report to determine the employment status of the employee.

Legal References

1. TRR/MS 0520-01-03-.08(2)(f)
2. TCA 49-2-203(b)(2); TCA 49-5-710(a)(7); TCA 49-5-404
3. TCA 49-5-511(a)(3)

Cross References

Section 504 and ADA Grievance Procedures 1.802

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Acquired Immune Deficiency Syndrome (AIDS) | Descriptor Code: 5.401 | Issued Date: 02/11/19 |
| | | Rescinds: 8.6 | Issued: 02/13/18 |

1 **LIABILITY AND NON-DISCRIMINATION**

2 No employee who is diagnosed with HIV infection or AIDS shall be prevented from continuing their
3 employment. No disciplinary action may be taken against an employee solely on the basis of HIV
4 infection or AIDS.

5 Action may be taken against an employee only if the employee is disabled and the disability interferes
6 with their ability to perform their employment duties.

7 The Board shall make reasonable accommodation to enable the employee to perform employment duties
8 as may be required by state or federal law.¹

9 **HIV/AIDS TESTING**

10 No school official can require any employee to undergo an HIV antibody test or other HIV-related test.
11 This does not preclude school officials from requiring an employee to undergo an examination when
12 another communicable illness is suspected.²

13 **CONFIDENTIALITY**

14 If information is received regarding an employee's HIV status, the Director of Schools may consult with
15 the school board attorney on the appropriate course of action to pursue, bearing in mind the school
16 system's potential liability for defamation, employment discrimination, and breach of confidentiality
17 requirements.³

18 Information about an employee's HIV status is not to be documented in the employee's personnel file
19 and shall not be faxed.^{1,3}

20 Information obtained is confidential and may not be released to anyone except:³

- 21 1. Persons named on an Authorization for Release of Confidential HIV-Related Information Form;
- 22 2. Persons listed on a court order, and
- 23 3. Persons authorized to receive such information without a release or court order according to state
24 law.

25 **Under no circumstances shall information identifying an employee with AIDS be released to the**
26 **public.**

1 **INFECTION CONTROL**

2 To prevent and manage exposure in the workplace, all school system employees will receive in-service
3 training and education annually regarding HIV/AIDS and OSHA's Blood-borne Pathogens Standard.
4 The Board shall follow the most current Centers for Disease Control and Prevention (CDC) Universal
5 Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and
6 Other Blood-borne Pathogens in Health Care Settings.¹

7 **EDUCATION AND TRAINING**

8 Annually, the Director of Schools shall ensure that all employees, including newly hired staff, receive
9 current HIV training. These programs can utilize the educational/training resources of agencies or private
10 institutions with personnel trained in the areas of HIV/AIDS prevention education.¹

11 The Director of Schools shall be responsible for developing, revising, and implementing the
12 administrative guidelines and procedures for this policy.⁴ The Director of Schools shall be responsible
13 for enforcing this policy by communicating it to all personnel and by providing necessary instruction
14 to all administrators.

15

Legal References

1. State Board of Education Policy 5.300
2. 29 CFR § 1630.13(b)
3. TCA 68-10-113
4. TRR/MS 0502-01-03-.08(2)(g)

Cross References

Section 504 and ADA Grievance Procedures 1.802

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Hepatitis B (HBV) | Descriptor Code: 5.402 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

1 All schools shall provide a sanitary environment and shall establish routines for handling body fluids
2 that are recommended by appropriate health professionals.¹

3 All school district personnel shall be advised of routine procedures to follow in handling body fluids.
4 These procedures shall provide simple and effective precautions against transmission of diseases to
5 persons potentially exposed to the blood or body fluids of another. These procedures shall be standard
6 health and safety practices. No distinction shall be made between body fluids from individuals with a
7 known disease and individuals without symptoms or with an undiagnosed disease.

8 The administration shall develop, in consultation with medical personnel, a regulation to be distributed
9 to all staff. Training and appropriate supplies shall be available to all personnel including those involved
10 in transportation and custodial services.

11 In addition to insuring that these health and safety practices are carried out on a district-wide basis,
12 special emphasis shall be placed in those areas of school district operation that potentially present a
13 greater need for these precautions.

14 **CONFIDENTIALITY AND NON-DISCRIMINATION²**

15 In all instances, district personnel shall respect the individual's right to privacy and treat any medical
16 diagnosis as confidential information. The Director of Schools shall initiate procedures to ensure that all
17 medical information will be held in strict confidence. Any school staff member who violates
18 confidentiality shall be subject to appropriate disciplinary measures.

19 Under no circumstances shall information identifying an employee with HBV be released to the public.

20 **SAFETY**

21 Employees who are at high risk of occupational exposure shall be identified and provided with personal
22 protective equipment, including HBV vaccinations. Employees considered to be at high risk shall include
23 custodians, school nurses, special education teachers, special education instructional assistants,
24 playground supervisors, coaches, and physical education teachers.

25 When any employee is known to have been exposed to HBV on the job site, the employee will be notified
26 immediately by a supervisor, and the Board shall provide vaccinations.

27 The principal will ensure that an accident report is filed for all accidents. The report will include the
28 employee's name, date of the accident, an explanation of the accident, and the care used in treating the
29 individual. These reports will be kept on file in the principal's office for a minimum of one (1) year.

1 **EDUCATION AND UNIVERSAL PRECAUTIONS**

- 2 HBV education, including universal precautions on handling blood and other body fluids, will be
3 provided to all school personnel and volunteers and may include members of the Board.
4

Legal References

1. 29 CFR § 1910.1030
2. TCA 68-10-113

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Drug & Alcohol Testing for Employees | Descriptor Code: 5.403 | Issued Date: 02/11/19 |
| | | Rescinds: 8.16 | Issued: 02/13/18 |

1 **REASONABLE SUSPICION DRUG TESTING**

2 Trained supervisors have the responsibility to observe and document the cause for reasonable suspicion
3 and when appropriate, refer the matter to the Director of Schools or his/her designee. It is not the
4 supervisor's responsibility to attempt diagnosis. All information, facts, and circumstances leading to and
5 supporting this suspicion should be included in a written report detailing the basis for the suspicion.
6 After the report is filed, the employee should be notified.

7 Notwithstanding the completion and filing of a written report as noted above, any employee may be
8 required to submit to substance screening if the following conditions exist (list is not inclusive):

- 9 1. Observed use, possession, or sale of illegal drugs and/or use, possession, sale, or abuse of
10 alcohol and/or prescription drugs;
- 11 2. Apparent physical state of impairment of motor functions;
- 12 3. Marked changes in personal behavior not attributed to other factors;
- 13 4. Employee involvement in or contribution to an accident where the use of alcohol or drugs is
14 reasonably suspected or employee involvement in a pattern of repetitive accidents whether or not
15 they involve actual or potential injury; or
- 16 5. Violation of criminal statutes involving the use of illegal drugs, alcohol, or prescription drugs
17 and/or violations of drug statutes.

18 The following circumstances will result in employee disciplinary action up to and including immediate
19 termination:

- 20 1. Refusal by employee to submit to substance screening;
- 21 2. Failure of employee to follow sampling protocols.

22 **TESTING FOR CDL EMPLOYEES**

23 All drivers and applicants for driver positions who are required to hold a Commercial Driver's License
24 (CDL) to perform their job function must adhere to the requirements of this policy and all procedures
25 relating to this policy.¹

26 The use, possession, sale, purchase, or transfer of any controlled substances, except medically prescribed
27 drugs on school property, while on school business or while operating school vehicles and equipment is
28 prohibited. Drinking alcoholic beverages during working hours, four (4) hours before reporting to work,

1 or having any measurable amount of alcohol in their system during working hours is prohibited, whether
2 on or off school property. Working hours include all breaks. Off-duty use of drugs and alcohol is
3 prohibited to the extent that it affects driver's attendance or performance and their ability to pass required
4 DOT alcohol and controlled substance tests. Any violation of this policy is grounds for termination and
5 possible legal prosecution.

6 The use of any prescription drug that could affect the central nervous system or one that would impair
7 reaction time shall be reported to the Director of Schools or the Director of Transportation. Notice shall
8 be given of non-prescription (over-the-counter) drugs being taken on a regular basis. The notice shall
9 include the duration of ingestion and the possible side effects.

10 **Procedures**

11 The execution and enforcement of this policy will follow set procedures to screen bodily fluids, conduct
12 breath testing, and/or search all employees/applicants for alcohol and drug use and those employees
13 suspected of violating this policy who are involved in a reportable accident or who are periodically or
14 randomly selected. The procedures are designed not only to detect violations of this policy but also to
15 ensure fairness to each employee. Disciplinary action will be taken as necessary.

16 **Implementation**

17 The Director of Schools or the Director of Transportation is authorized to implement this policy and
18 procedures for the drug testing program, including a periodic review of the program to address any
19 problems, changes, and/or revisions of it, maintenance of all records required by the federal regulations,
20 and determination upon board approval of how the program will be accomplished, whether in-house,
21 contracted, or by consortium.

22 **Dissemination**

23 The Director of Schools or the Director of Transportation shall be responsible for communicating this
24 policy and the procedures to all employees affected by this policy and shall be accountable for its
25 consistent enforcement.² The Director of Schools or the Director of Transportation is designated to
26 answer questions about this policy, procedures, and all other matters involved in alcohol and controlled
27 substance testing of CDL drivers and the reasonable suspicion testing of all other employees.
28

Legal References

1. 49 USCA § 5331; Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991)
2. 49 CFR 382.601

Cross References

Drug-Free Workplace 1.804

| Maryville City Board of Education | | | |
|---|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biannually, in September | Descriptor Term: Discrimination / Harassment of Employees (Sexual, Racial, Ethnic, Religious) | Descriptor Code: 5.500 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

Employees shall be provided a work environment free from sexual, racial, ethnic, and religious discrimination/harassment. It shall be a violation of this policy for any employee or any student to discriminate against or harass an employee through disparaging conduct or communication that is sexual, racial, ethnic, or religious in nature. The following guidelines are set forth to protect employees from discrimination/harassment.

Employee discrimination/harassment will not be tolerated.¹ Discrimination/harassment is defined as conduct, advances, gestures, or words either written or spoken of a sexual, racial, ethnic, or religious nature that:

1. Unreasonably interferes with the individual's work or performance;
2. Creates an intimidating, hostile, or offensive work environment;
3. Implies that submission to such conduct is made an explicit or implicit term of employment; or
4. Implies that submission to or rejection of such conduct will be used as a basis for an employment decision affecting the harassed employee.

Alleged victims of sexual, racial, ethnic, and religious discrimination/harassment shall report these incidents immediately.² This report should be made to the immediate supervisor, except when the immediate supervisor is the offending party. If the immediate supervisor is the offending party, the report may be made to the Federal Rights Coordinator, the Supervisor of Human Resources, or the Director of Schools. Allegations of discrimination/harassment shall be fully investigated (as set forth in *Complaints and Grievances* 5.501). An oral complaint may be submitted; however, such complaint must be reduced to writing to ensure a more complete investigation. The complaint should include the following information:

1. Identity of the alleged victim and person accused;
2. Location, date, time, and circumstances surrounding the alleged incident;
3. Description of what happened;
4. Identity of witnesses; and
5. Any other evidence available.

The privacy and anonymity of all parties and witnesses to complaints will be respected. However, because an individual's need for confidentiality must be balanced with obligations to cooperate with police investigations or legal proceedings, to provide due process to the accused, to conduct a thorough investigation, or to take necessary action to resolve a complaint, the identity of parties and witnesses may be disclosed in appropriate circumstances to individuals with a need to know.

1 A substantiated charge against an employee shall result in disciplinary action up to and including
2 termination. A substantiated charge against a student may result in corrective or disciplinary action up
3 to and including suspension.

4 There will be no retaliation against any person who reports discrimination/harassment or participates in
5 an investigation. However, any employee who refuses to cooperate or gives false information during the
6 course of any investigation may be subject to disciplinary action. The willful filing of a false report will
7 itself be considered harassment and will be treated as such.

8 An employee disciplined for violation of this policy may appeal the decision by contacting the Federal
9 Rights Coordinator or the Supervisor of Human Resources

10

Legal References

1. 29 CFR §1604.11
2. 20 USCA § 1681

Cross References

Appeals To and Appearances Before the Board 1.404
Equal Opportunity Employment 5.104
Complaints and Grievances 5.501

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Complaints and Grievances | Descriptor Code: 5.501 | Issued Date: 02/11/19 |
| | | Rescinds: 8.22 | Issued: 02/13/18 |

1 **EMPLOYMENT-RELATED COMPLAINTS/GRIEVANCES**

2 The Board believes that differences of opinions arising in the course of employment should be resolved
3 as quickly as possible and at the lowest supervisory level.

4 In instances of questions by an individual staff member concerning the interpretation of policies and
5 procedures to that staff member, administrative practices within the staff member's particular school,
6 and relationships with other employees, the staff member concerned must consult the administrative or
7 supervisory personnel to whom they are responsible. If a satisfactory resolution of the problem cannot
8 be reached after ample opportunity for consideration of the matter, the staff member concerned may
9 discuss the matter with the next level of supervision up to and including the Director of Schools.

10 In instances where an individual staff member feels, for personal reasons, that they cannot discuss a
11 problem with their immediate superior, the staff member may take the problem directly to the Director
12 of Schools. After review of the case, the Director of Schools shall take action as they deem appropriate
13 and within a prompt, reasonable time shall notify all parties concerned of their decision.

14 **HARASSMENT/DISCRIMINATION GRIEVANCES**

15 Employees should notify any district complaint manager if they believe the Board, district employees or
16 agents have violated their rights guaranteed by the state or federal constitution, state or federal statute,
17 or board policy including: ^{1,2,3}

- 18 1. Age Discrimination Employment Act¹
- 19 2. Title II of the Americans with Disabilities Act ⁴
- 20 3. Title IX of the Education Amendments of 1972 ⁵
- 21 4. Section 504 of the Rehabilitation Act of 1973 ⁶
- 22 5. Claims of sexual harassment under Title VII of the Civil Rights Act of 1964 and Title IX of the
23 Education Amendments of 1972 ^{7,5}

24 The complaint manager will endeavor to respond and resolve complaints without resorting to this
25 grievance procedure, and if a complaint is filed, to address the complaint promptly and equitably. The
26 right of a person to prompt and equitable resolution of the complaint shall not be impaired by the person's
27 pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other
28 remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit
29 of other remedies.

- 30 1. Filing a Complaint — An employee who wishes to avail themselves to this grievance procedure
31 may do so by filing a complaint with any district complaint manager. The employee may request

a complaint manager of the same sex. The complaint manager may assist the employee in filing a grievance.

2. Investigation — The complaint manager will investigate the complaint or appoint a qualified person to undertake the investigation on their behalf. The complaint and identity of the complainant will not be disclosed except (1) as required by law or this policy; or (2) as necessary to fully investigate the complaint; or (3) as authorized by the complainant. The complaint manager shall file a written report within ten (10) days of the filing of the grievance of his or her findings with the Director of Schools. If a complaint of sexual harassment contains allegations involving the Director of Schools, the written report shall be filed with the Board.

3. Decision and Appeal — After receipt of the complaint manager's report, the Director of Schools shall render a written decision within five (5) days of the receipt of the report that shall be provided to the employee. If the employee is not satisfied with the decision, the employee may appeal the decision to the Board by making a written request to the complaint manager. The complaint manager shall be responsible for promptly forwarding all materials relative to the complaint and appeal to the Board. Thereafter, the Board shall render within thirty (30) days from the date the appeal was received, review the report and affirm, overrule or modify the decision, and render a written finding that shall be provided to the complainant. This grievance procedure shall not be construed to create an independent right to a board hearing.

APPOINTING COMPLAINT MANAGERS

The Director of Schools shall appoint at least two complaint managers, one of each gender. The Federal Rights Coordinator may be appointed as a complaint manager. The Director of Schools shall insert into this policy the names, addresses and telephone numbers of current complaint managers. (*see note*)

(Note: Title IX regulations require districts to identify the name, address, and telephone number of the person who is responsible for coordinating the district's compliance efforts. A policy should not be adopted with a person's name in it; rather, the identifying information can be added and amended as necessary.)

Legal References

1. Age Discrimination Employment Act, 29 USCA § 621 et seq.
2. Equal Pay Act, 29 USCA § 206(d)
3. Immigration Reform and Control Act, 8 USCA § 1324a et seq.
4. Americans with Disabilities Act, 42 USCA § 12101 et seq.
5. Title IX of the Education Amendments, 20 USCA § 1681 et seq.
6. Rehabilitation Act, 29 USCA § 791 et seq.
7. Title VII of Civil Rights Act, 42 USCA § 2000e et seq.

Cross References

Appeals to and Appearances Before the Board 1.404
 Section 504 and ADA Grievance Procedures 1.802
 Equal Opportunity Employment 5.104
 Discrimination/Harassment of Employees 5.500

| Maryville City Board of Education | | | |
|---|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Staff Rights & Responsibilities | Descriptor Code: 5.600 | Issued Date: 02/11/19 |
| | | Rescinds: 8.28 | Issued: 02/13/18 |

In fulfilling any citizenship rights and responsibilities, employees shall give proper consideration to the educational welfare of students and ensure that no conflict exists with their actual duties.

Each staff member has the right to¹ a work environment free from sexual, racial, ethnic, and religious discrimination/harassment.²

Educators have the right to:

1. Academic freedom within the confines of state law and board policy in order to create an atmosphere of freedom in the classroom;
2. Be treated with civility and respect as well as having his/her professional judgement and discretion respected;
3. Report any errant, offensive, or abusive content or behavior of a student to the principal and/or appropriate agencies;
4. Provide students with a safe environment;
5. Defend themselves and their students from physical violence or harm;³
6. Share information regarding a student's educational experience, health, or safety with the student's parent(s)/guardian(s) unless otherwise prohibited;⁴
7. Review all instructional material or curriculum before being utilized by students; and
8. Not be required to use his/her personal money to appropriately equip a classroom.

Each staff member has the responsibility to:

1. Make themselves familiar with and abide by the laws of the state, the policies of the Board, and the procedures designed to implement them;⁵
2. To adhere to the Teacher Code of Ethics;⁶
3. Comply with established policy, routines, and procedures relating to an employee's attendance and punctuality, and adhere to scheduled roles and responsibilities;
4. Be truthful and honest regarding all matters of interest to the Maryville City School District;

5. Promote a safe and healthy environment and conduct themselves in a manner free from harassment, intimidation, bullying, substance abuse, bias, discrimination, and violence;
6. Comply with justifiable directives issued by a recognized source of authority;
7. Be truthful and properly present and use documents, data, and other information sources of interest to the Maryville City School District;
8. Conduct themselves in a manner, on or off Maryville City School District property or outside the established contract day, that does not affect the ability of the employee to perform his/her job duties;
9. Work with, cooperate, and collaborate with assigned designated team(s) in a professional manner;
10. Maintain confidentiality in all matters pertinent to the Maryville City School District including but not limited to local, state, and federal policies;
11. Plan, prepare, and provide for optimal execution of job responsibilities;
12. Immediately intervene (when applicable) and report any code of conduct violation that negatively impacts an environment conducive to safe and supportive learning;
13. Be courteous and helpful in interacting and responding to parents, visitors, and members of the public;
14. Keep all records and prepare and submit promptly all reports that may be required by state law, State Board regulations, board policy, and administrative procedures; and
15. Wear appropriate dress for work according to local school rules.

Legal References

1. TCA 49-5-209
2. 42 USCS § 2000e-2(a)—(b); TCA 49-6-8002—8006
3. TCA 49-6-4008
4. 20 USCA 1232g
5. TCA 49-5-201; Public Acts of 2018, Chapter No. 937
6. TCA 49-5-1001—1005

Cross References

Curriculum Development 4.200
 Controversial Issues 4.800
 Religious Content of Courses 4.804
 Staff-Student Relations 5.610
 Ethics 5.611

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Conflict of Interest | Descriptor Code: 5.601 | Issued Date: 02/11/19 |
| | | Rescinds: 8.21 | Issued: 02/13/18 |

1 ADMINISTRATIVE PERSONNEL

2 Administrative and supervisory personnel shall have no financial interest, directly or indirectly, in sup-
3 plying books, maps, school furniture, or apparatus for the schools, or to act as agent for any author,
4 publisher, bookseller, or dealer in school furniture or apparatus; however, a spouse or family member of
5 a principal, teacher, or other school administrative employee may participate in business transactions
6 with the school system where a sealed competitive bid system is used, provided that the employee does
7 not have discretion in the selection of bids or specifications.¹

8 It shall be a misdemeanor for the Director of Schools to take any other contract under the Board, to
9 perform any other service for additional compensation, to act as principal or teacher in any school, or to
10 become the owner of a school warrant other than that allowed for his/her service as Director of Schools
11 or as Secretary to the Board.²

12 CERTIFIED AND CLASSIFIED PERSONNEL

13 Employees will not engage in, or have financial interest in, any activity that raises a reasonable question
14 of conflict of interest with their duties and responsibilities as members of the school staff. This includes,
15 but is not limited to, the following:

- 16 1. School employees may not purchase for sale to students any goods or equipment or render any
17 service to the school system on a commission basis;¹
- 18 2. Employees who have patented or copyrighted any device, publication, or other item will not
19 receive royalties for use of such item in the school system;
- 20 3. Employees will not engage in any type of work where the source of information concerning a
21 customer, client, or employer originates from information obtained through the school system;
- 22 4. The Board shall make no purchase of supplies, materials, or equipment from a school system
23 employee; and
- 24 5. Employees shall not solicit for the purpose of selling instructional supplies, equipment, and
25 reference books in a territory that includes the parents of the children of the school in which the
26 employee is assigned.
27

Legal References

1. TCA 49-6-2003
2. TCA 49-2-301(c)

Cross References

Purchasing 2.805
Bids and Quotations 2.806
Purchase Orders and Contracts 2.808
Employee-Developed Materials 4.405
Staff Gifts and Solicitations 5.605

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Staff Time Schedules | Descriptor Code: 5.602 | Issued Date: 02/11/19 |
| | | Rescinds: 8.7 | Issued: 02/13/18 |

1 **WORK SCHEDULES**

2 The workday for full-time licensed and certified staff will be a minimum of seven hours and thirty
3 minutes¹ and will continue until professional responsibilities to the student and the school are completed.
4 Each teacher shall be at the assigned school at least fifteen (15) minutes before and remain fifteen (15)
5 minutes after the closing of the school day. Administrative meetings, curriculum development, student
6 supervision, assigned duties, parent conferences, group or individual planning, and extra-curricular
7 activities may require hours beyond the stated minimum. Teachers shall be allotted an individual, duty-
8 free planning period of two and one-half (2 1/2) hours each week to provide time for planning,
9 preparation for effective teaching, and attention to major program improvement.² Work schedules for
10 other employees will be defined by the Director of Schools or his/her designee, consistent with the Fair
11 Labor Standards Act and provisions of this policy.

12 **WORKWEEK DEFINED**

13 Working hours for all employees not exempted under the Fair Labor Standards Act,³ including
14 secretaries, bus drivers, cafeteria, janitorial, and maintenance personnel, will conform to federal and state
15 regulations. The Director of Schools will ensure that job positions are classified as exempt or non-exempt
16 and that employees are made aware of such classifications. Supervisors will make every effort to avoid
17 circumstances which will require non-exempt employees to work more than forty (40) hours each week.
18 For purposes of compliance with the Fair Labor Standards Act, the workweek for school district
19 employees will be 12:00 a.m. Sunday until 11:59 p.m. Saturday.

20 **OVERTIME AND COMPENSATORY TIME⁴**

21 The Board discourages overtime work by non-exempt employees. A non-exempt employee will not work
22 overtime without the express approval of his/her supervisor. All overtime work must be expressly
23 approved in writing by the Director of Schools or his/her designee. All supervisory personnel must
24 monitor overtime on a weekly basis and report such time to the Director of Schools or his/her designee.
25 Principals and supervisors will monitor employees' work, will ensure that overtime provisions of this
26 policy and the Fair Labor Standards Act are followed, and will ensure that all employees are
27 compensated for any overtime worked. Principals or supervisors may need to adjust daily schedules to
28 prevent non-exempt employees from working more than forty (40) hours in a workweek.

29 In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate
30 of not less than one and one-half (1.5) hours for one hour of overtime worked, if such compensatory time
31 (1) is pursuant to an agreement between the employer and employee reached before overtime work is
32 performed and (2) is authorized by the immediate supervisor. Employees will be allowed to use

1 compensatory time within a reasonable period after requesting such use if the requested use of the
2 compensatory time does not unduly disrupt the operation of the school division.

3 Non-exempt employees whose workweek is less than forty (40) hours will be paid at the regular rate of
4 pay for time worked up to forty (40) hours. Such employees shall be provided overtime pay or
5 compensatory time as provided for working more than forty (40) hours in a workweek.

6 This policy shall be included in the staff handbook, and employees shall be required to acknowledge
7 their understanding of overtime and compensatory time provisions.

8 **ATTENDANCE EXPECTATIONS**

9 All employees are expected to be present during all work hours. Absence without prior approval, chronic
10 absences, habitual tardiness, or abuses of designated working hours are all considered neglect of duty
11 and will result in disciplinary action up to and including dismissal.

Legal References

1. TRR/MS 0520-01-03-.03(1)
2. TRR/MS 0520-01-03-.03(4); TCA 49-1-302(e)(2)
3. 29 CFR 553.20—23
4. 29 CFR 541.100—101, 200, 204, 300, 303

Cross References

School Day 1.801
Curriculum Development 4.200
Reporting Student Progress 4.601
In-Service and Professional Learning Opportunities 5.113

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Staff Meetings | Descriptor Code: 5.603 | Issued Date: 02/11/19 |
| | | Rescinds: 8.7 | Issued: 02/13/18 |

- 1 Staff meetings shall be held in each school for the purpose of promoting school improvement and
- 2 professional growth and may be conducted by the principal, teachers, or committees.
- 3 All staff members are expected to attend all meetings called by the administration and all in-service
- 4 programs designed to improve the total school, unless excused by the person calling the meeting.
- 5 Teachers' meetings may include but not be limited to:
 - 6 1. Meetings of the entire staff of the school;
 - 7 2. Meetings of teachers in the same subject area or on the same grade level;
 - 8 3. System-wide in-service meetings; and
 - 9 4. Committee meetings dealing with specific problems.

Cross References

School Day 1.801
In-Service and Professional Learning Opportunities 5.113

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Staff Gifts and Solicitations | Descriptor Code: 5.605 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

1 **GIFTS**

2 Employees shall not accept gifts from students unless the gifts are of token value only.

3 Employees are prohibited from accepting things of material value from individuals, companies, or
4 organizations doing business with the school system. Exceptions to this policy are the acceptance of
5 minor items which are generally distributed to all by the companies through public relations programs.

6 **SOLICITATIONS**

7 No organization may solicit funds from employees within the schools. Flyers or other materials related
8 to fund drives shall not be distributed through the schools without the written approval of the Director
9 of Schools.

10 Employees will not be responsible for the collection of any money or the distribution of any fundraising
11 materials within the schools unless such activity has the Director of Schools' written approval.

Cross References

Advertising and Distribution of Materials in Schools
1.806
Fundraising Activities 2.601
Vendor Relations 2.809
Staff Conflicts of Interest 5.601
Student Gifts 6.710

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Political Activities | Descriptor Code: 5.606 | Issued Date: 02/11/19 |
| | | Rescinds: 8.24 | Issued: 02/13/18 |

- 1 Employees have a right to express their views on any issue, but must in each case, make clear that the
- 2 view expressed is not the official view of the board or school system.

- 3 Employees may, on their own time, campaign for or against any candidate or referendum but are
- 4 prohibited from using system owned property to engage in political activity. System owned property
- 5 includes, but is not limited to: all buildings, signage, message boards, telephonic equipment, electronic
- 6 equipment, and email accounts. Employees shall not use audio or video messages to engage in any
- 7 political promotion or solicitation during school hours.¹

Legal References

1. TCA 49-6-2009

Cross References

Board-Community Relations 1.500
Advertising and Distribution of Materials in Schools
1.806

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Non-School Employment | Descriptor Code: 5.607 | Issued Date: 02/11/19 |
| | | Rescinds: 8.25 | Issued: 02/13/18 |

1 Outside employment is regarded as employment or a business venture for compensation that is not within the
2 duties and responsibilities of the employee's regular position with the school system. Personnel shall not be
3 prohibited from holding employment outside the school so long as such employment does not interfere with
4 assigned school duties.

5 The Board expects employees to devote maximum effort to the position in which employed. The nature of a given
6 professional position may customarily require additional hours including work during evenings or at other times
7 when offices may be closed. In such instances, hours of work become position obligations and cannot be interfered
8 with by outside employment.

9 An employee will not perform any duties related to an outside job during his/her regular working hours or during
10 the additional time that the responsibilities of the position require nor will an employee use any district facilities,
11 equipment, or materials in performing outside work. This includes the Board's computer systems and networks
12 and any configuration of hardware and software. The systems and networks include all of the computer hardware,
13 operating system software, stored text, and data files. This includes, but is not limited to, electronic mail, local
14 databases, externally accessed databases (such as the Internet), CD-ROM, optical media, clip art, digital images,
15 digitized information, communications technologies, and new technologies as they become available. The Board
16 reserves the right to have all technology resource activity monitored.

17 The Board's technology resources will be used only for learning, teaching, and administrative purposes consistent
18 with the Board's mission and its goals. Commercial use of the Board's system is strictly prohibited.

19 When the periods of work are such that certain evenings, days, or vacation periods are duty-free, the employee
20 may use such off-duty time for the purposes of compensation provided all the following conditions are met:¹

- 21 1. The work in no way interferes with the degree of effectiveness of their work in the school system;
- 22
- 23 2. The work in no way reflects detrimentally upon the school system or its prestige;
- 24
- 25 3. Such outside obligations do not prevent the individual from assuming duties required by the regular
- 26 position; and
- 27
- 28 4. The individual does not receive compensation for work that is customarily within their regular position.

Legal References

1. TCA 49-5-410

Cross Reference

Tutoring for Pay 5.608

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Tutoring for Pay | Descriptor Code: 5.608 | Issued Date: 02/11/19 |
| | | Rescinds: 8.30 | Issued: 02/13/18 |

- 1 Any employee may enter into an agreement with parents for private academic tutoring, athletic training,
- 2 or artistic lessons of children for a fee, but this practice must be limited to those children whom the
- 3 employee is not currently exercising teaching, administrative, or supervisory responsibility.¹ This rule
- 4 does not apply if the requested service falls outside of the scope of the regular job duties of the employee,
- 5 such as ACT prep work courses, piano lessons, and tutoring within a content area outside of the teaching
- 6 responsibilities. In addition, it does not apply to school authorized and approved clinics, camps, etc.
- 7 Facility use may be granted for activities that advance the academic, artistic, or athletic endeavors of the
- 8 district.
- 9 No private teaching or tutoring shall be done by an employee in any Maryville City School during the
- 10 hours of the regular school day.
- 11 Any employee of Maryville City Schools seeking to offer private tutoring in a school after the regular
- 12 school day shall submit a request to the Director of Schools through the principal of the school. If the
- 13 principal approves the application, it shall be forwarded to the Director of Schools for final disposition
- 14 by the Director of Schools/designee.

Legal References

1. TCA 49-5-1003

Cross Reference

Non-School Employment 5.607

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Staff-Student Relations | Descriptor Code: 5.610 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

- 1 Staff members shall maintain professional relationships with students at all times and develop
- 2 wholesome and constructive relationships with them. Staff members shall be expected to regard each
- 3 student as an individual and to accord each student the rights and respect that is due.
- 4 Staff members shall promote a learning environment that encourages fulfillment of each student's
- 5 potential in regard to their program, consistent with district goals and with optimal opportunities for
- 6 students. This goal may be reached by adapting instruction to individual needs by:
 - 7 1. Insisting on reasonable standards of scholastic accomplishment for all students;
 - 8 2. Creating a positive atmosphere in and out of the classroom;
 - 9 3. Extending courtesy and respect to students; and
 - 10 4. Treating all students with consistent fairness.¹
- 11 Staff members shall use good judgment in their relationships with students beyond their work
- 12 responsibilities and/or outside the school setting and shall avoid excessive informal and social
- 13 involvement with individual students. Any appearance of impropriety shall be avoided. Sexual
- 14 relationships between employees and students shall be prohibited.²
- 15 The Director of Schools/designee shall develop administrative procedures to implement this policy.

Legal References

1. TCA 49-5-1003
2. TCA 39-13-506; TCA 39-13-527; Public Acts of 2018, Chapter No. 937

Cross References

Staff Rights & Responsibilities 5.600
 Ethics 5.611
 Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation 6.304
 Child Abuse and Neglect 6.409

| Maryville City Board of Education | | | |
|--|---------------------------------------|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Ethics | Descriptor Code: 5.611 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

- 1 An employee's conduct must be representative of an exemplary role model. The primary function of
2 the school system is the education of children and youth. All employees are expected to maintain high
3 standards in their school relationships.¹ These standards include the following:
- 4 1. The maintenance of just and courteous professional relationships with students, parents, staff
5 members, and others;
 - 6 2. The maintenance of their own efficiency and knowledge of the developments in their fields of
7 work;
 - 8 3. The transaction of all official business with the properly designated authorities of the school
9 system;
 - 10 4. The establishment of friendly and intelligent cooperation between the community and the
11 school system;
 - 12 5. The representation of the school system on all occasions that the contributions of the school
13 system to the community are recognized;
 - 14 6. The welfare of children as the first concern of the school system when placing professional
15 personnel. The use of pressure on school officials for appointments or transfers is unethical;
 - 16 7. Restraint from using school contacts and privileges to promote partisan politics, sectarian
17 religious views, or selfish propaganda of any kind;
 - 18 8. The responsibility to make any criticism of other staff members or of the school system directly
19 to the particular school administrator who has the administrative responsibility for improving
20 the situation and then to the Director of Schools, if necessary; and
 - 21 9. The proper use and protection of all school properties, equipment, and materials.

Legal References

1. TCA 49-5-501(3)(D); TCA 49-5-1003, 1004

Cross References

Staff Rights & Responsibilities 5.600
Staff-Student Relations 5.610

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Interim Employees | Descriptor Code: 5.700 | Issued Date: 02/11/19 |
| | | Rescinds: 8.5 | Issued: 03/19/18 |

1 Employees shall be hired on an interim contract only when a vacancy is created by an employee taking
2 a leave of absence.¹ Such interim employees shall be considered as temporary replacements for the
3 remainder of the school year, and the contract term will not be considered as initial employment. Persons
4 filling any temporary positions shall have no expectancy of continued employment.

5 Said positions will be filled at the discretion of the Director of Schools in a manner that is the least
6 disruptive on the educational process of students. Said positions shall be filled as quickly as possible to
7 ensure a continuous function of the specified position.

8 Persons filling any temporary positions shall have no expectancy of continued employment, but such
9 person may be considered for employment in filling vacancies as specified in the section dealing with
10 initial employment. The contract of each temporary employee shall contain the following statement: *I*
11 *understand that in filling a temporary position I have no expectancy of continued employment but may*
12 *be considered for initial employment to fill other vacancies.*

Legal References

1. TCA 49-2-203(a)(1)(A); TCA 49-5-702

Cross References

Long-Term Leaves of Absence 5.304

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Substitute Teachers | Descriptor Code: 5.701 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

Substitute teachers are those teachers used to replace teachers on leave or to fill temporary vacancies.^{1,2}
The compensation of substitute teachers shall be determined annually by the Board. Retired teachers serving as substitutes who do not have an active teaching license shall be paid the same as a retired substitute teacher with an active teaching license. This only applies to teachers who retired after July 1, 2011 through July 1, 2016.⁵

APPLICATION/QUALIFICATIONS

Criminal history record checks and fingerprinting of applicants for substitute teaching are required.³

Applicants with revoked licenses or certificates according to the Department of Education shall not be hired.⁴

Qualifications for substitute teachers shall be determined by the Director of Schools in compliance with state laws and regulations.

A list of substitute teachers will be prepared by the Director of Schools who will maintain files which may include transcripts, credentials, recommendations, and other pertinent information.

CERTIFICATION

When substituting for a regular teacher who has been absent for twenty (20) consecutive days, a substitute teacher must possess a teaching certificate with endorsement in the discipline(s) to be taught.⁶

EMERGENCY NEEDS

All teacher aides, secretaries, and clerks are approved substitute teachers for use in emergency situations. Emergency use shall be defined as less than a full day due to the regular or substitute teacher being unable to arrive on time or remain for the full day.

Said substitutes shall receive the proportionate equivalent salary regular substitute teachers would receive under similar circumstances or their regular salary, if higher; however, they shall not receive pay for both positions at the same time.

TRAINING AND ORIENTATION

The Director of Schools shall be responsible for ensuring that there are appropriate training and development programs for substitute teachers.

1 **RESPONSIBILITIES**

- 2 Substitute teachers shall assume the same responsibilities as the regular teacher, including, but not
3 limited to, bus duty and playground supervision.

Legal References

1. TRR/MS 0520-01-02-.04(5)
2. TCA 49-5-709
3. TCA 49-5-413(a)(2)
4. TCA 49-2-203(a)(15)
5. Public Acts of 2017, Chapter No. 387
6. TCA 49-3-312; TRR/MS 0520-01-02-.04(5)(b)
7. TCA 8-36-805

| Maryville City Board of Education | | | |
|--|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Student Teachers | Descriptor Code: 5.702 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

- 1 Student teachers shall be accepted or refused by either the principal or the cooperating teacher.
- 2 Student teachers shall be expected to observe all rules and regulations established by the Board.
- 3 A student teacher shall be granted the same protection of the laws as a certified teacher and shall comply
- 4 with all policies of the Board and observe all duties of teachers as set forth in state statute.¹

Legal References

1. TCA 49-5-403(c); TCA 49-5-201

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Director of Schools | Descriptor Code: 5.800 | Issued Date: 02/11/19 |
| | | Rescinds: | Issued: |

- 1 The Director of Schools shall be the chief executive officer of the school system and shall have, under
- 2 the direction of the Board, general supervision of all the public schools, personnel, and departments of
- 3 the school system. The Director of Schools is responsible for the management of the schools under the
- 4 Board's policies and is accountable to the Board.¹
- 5 The Director of Schools, at his/her discretion, may delegate any of his/her duties to other school
- 6 personnel.
- 7

Legal References

1. TCA 49-2-301(a)

Maryville City Board of Education

| | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Director of Schools Recruitment and Selection | Descriptor Code: 5.801 | Issued Date: 02/11/19 |
| | | Rescinds: 3.2 | Issued: 09/19/16 |

- 1 When a vacancy occurs, the appointment of a Director of Schools is a function of the Board.¹ The Board
- 2 may employ a consultant to advise and assist in the search and selection process. No member of the
- 3 Board shall be eligible for the position of Director of Schools.²
- 4 The Board shall develop the selection criteria, timeline for the selection process, process for accepting
- 5 and reviewing applications, and selection procedures at its discretion.³

Legal References

1. TCA 49-2-203(a)(14)
2. TCA 49-2-203(a)(1)(D)
3. TCA 49-2-203(a)(14)(B)

| Maryville City Board of Education | | | |
|---|---|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Qualifications and Duties of the Director of Schools | Descriptor Code: 5.802 | Issued Date: 02/11/19 |
| | | Rescinds: 3.2 | Issued: 09/19/16 |

1 **QUALIFICATIONS**

- 2 1. A professional educator's license
- 3 2. A master's degree in education with a preference for a doctorate degree
- 4 3. Three (3) years of successful experience in school administration
- 5 4. Such other qualifications as the Board deems desirable

6 **REPORTS TO:** The Board of Education

7 **SUPERVISES:** All administrative and supervisory personnel in the district

8 **JOB GOAL:** To provide leadership in developing and maintaining the best possible educational
9 programs and services

10 **SCOPE OF RESPONSIBILITY:** The management responsibilities of the Director of Schools shall
11 extend to all activities of the district, to all phases of the educational program, to all aspects of the
12 financial operation, to all facility management, and to the conduct of such other duties as may be assigned
13 by the Board. The Director of Schools may delegate these duties together with appropriate authority but
14 may neither delegate nor relinquish ultimate responsibility for results or any portion of accountability.

15 **ESSENTIAL FUNCTIONS**

16 **General Administrative**

- 17 1. Provides leadership in identification of priorities and assures that all activities reflect those
18 board-established priorities.
- 19 2. Prepares and recommends short and long-range plans for Board approval and implements those
20 plans when approved.
- 21 3. Prepares, in conjunction with the Chair, agenda recommendations relative to all matters
22 requiring board action, including all facts, information, options, and reports needed to assure
23 informed decisions. Provides advice and counsel to the Board on matters before it.
- 24 4. Attends all regular and special meetings of the Board and keeps a complete and accurate record
25 of the proceedings of all meetings of the Board and of its official acts.
- 26 5. Recommends drafts of new policies or changes to the Board. Anticipates potential problems.
27 Recommends policies or courses of staff action.

6. Develops administrative procedures to implement board policy or for the items deemed necessary for the efficient operation of the schools and disseminates these procedures to appropriate staff.
7. Keeps the Board informed regarding development in other districts or at state and national levels that would be helpful to the district.
8. Ensures that all local, state, and federal standards for the health and safety of the students and staff are maintained and that required reports are maintained.
9. Fulfills all statutory obligations and implements the education law of the State of Tennessee and the rules and regulations of the State Board of Education.¹

Financial Management

1. Provides direction to and supervision of school business functions. Encourages development and implementation of sound business practices. Continually assesses business practices to achieve efficiency.
2. Prepares, annually, a budget and submits it to the Board for approval. Presents approved budget to the appropriate local funding body for adoption.
3. Makes appropriate written reports for the Board, detailing all receipts and expenditures of the public school funds, and submits them to the local funding body.
4. Ensures that funds are spent prudently by providing adequate control and accounting of the district's financial and physical resources.

Personnel Administration

1. Establishes lines of authority which shall be approved by the Board and shown on the system organization chart. Lines of authority shall not restrict the practical working relationships of all staff members at all levels.
2. Employs such personnel as may be necessary within the limits of budgetary provisions and recommends to the Board teachers who are eligible for tenure.
3. Develops recruitment procedures to assure well-qualified applicants for professional and non-professional positions.
4. Assigns and transfers employees as the interest of the district may dictate and reports such action to the Board for information and record.
5. Holds meetings of teachers and other employees as necessary for the discussion of matters concerning the welfare and improvement of the schools.
6. Communicates directly, or through delegation, all actions of the Board relating to personnel matters to all and receives employees' communications to be made to the Board.

7. Evaluates principals annually.

8. Informs the Office of Educator Licensing of licensed educators who have been suspended or dismissed, who have resigned, following allegations of conduct, including sexual misconduct, which, if substantiated, would warrant consideration for license suspension or revocation, or who have been convicted of a felony. The report shall be submitted within thirty (30) days of the suspension, dismissal, or resignation or of receiving knowledge of the felony conviction.²

Instructional Leadership

1. Serves as the chief school executive. Ensures the development and maintenance of a positive educational program designed to meet the needs of the community and to carry out the policies of the Board. Ensures that a system of thorough and efficient education, as defined by state law, is available to all students.

2. Recommends to the Board for its adoption all courses of study, curriculum guides, and major changes in tests and time schedules to be used in the schools.

3. Oversees the timely revisions of all curriculum guides and courses of study.

4. Develops guidelines and direction for monitoring the effectiveness of existing and new programs.

5. Conducts a periodic audit of the total school program and advises the Board of recommendations for the educational advancement of the schools.

6. Seeks out available sources for grant funding to support programs and projects.

7. Ensures that the goals of the school system are adequately reflected in its educational program and operations.

Community/Public Relations

1. Promotes community support of the schools. Interprets district programs and services, reports, plans, events, and activities of interest and solicits community opinions regarding school and educational issues.

2. Identifies available community resources and links to social service agencies that support education and healthy child development.

3. Develops strategies to promote parental involvement in their student's education and provides opportunities for parent-teacher interaction.

4. Maintains contact and good relations with local media. Acts as the Board's spokesperson.

5. Ensures that the district interests will be represented in meetings and activities of municipal and other governmental agencies.

- 1 6. Represents the school district and its interests in community organizations, activities, and
2 projects.

3 **TERMS OF EMPLOYMENT:** Serves in accordance with the terms of the contract between the Board
4 and the Director of Schools. Salary to be determined by the Board.

5 **EVALUATION:** Performance of this job will be evaluated in accordance with provisions of state law
6 and the Board's policy on evaluation of the Director of Schools.

7 **GENERAL REQUIREMENTS:** The above statements are intended to describe the general nature and
8 level of work being performed by the person assigned to this position. They are not intended to be a
9 complete list of responsibilities, duties, and skills required of personnel so assigned.

Legal References

1. TCA 49-2-301
2. TRR/MS 0520-02-03-.09(2); TCA 49-5-417(c)

Cross References

Executive Committee 1.301
Administrative Procedures 1.601
Administrative Committees 1.602
Administrative Reports 1.603
School District Planning 1.701
Job Descriptions 5.103
Application and Employment 5.106
Evaluation of the Director of Schools 5.803

| Maryville City Board of Education | | | |
|--|--|----------------------------------|---------------------------------|
| Monitoring: Review: Biennially, in September | Descriptor Term: Evaluation of the Director of Schools | Descriptor Code: 5.803 | Issued Date: 02/11/19 |
| | | Rescinds: 3.2 | Issued: 09/19/16 |

1 At a time agreed to by the Board and the Director, the Board will meet as a body to evaluate the Director's
2 performance.

3 The following guidelines will be used in the evaluation process:

4 1. The Director will know the standards upon which he/she will be evaluated and will be involved in the
5 development of those standards.

6 2. A part of the evaluation may be a composite of the evaluation by individual board members, but the Board,
7 as a whole, will meet with the Director to discuss the composite evaluation.

8 3. The evaluation shall include a discussion of strengths as well as weaknesses.

9 4. Both the Board and Director will prepare for the evaluation. The Director will conduct a self-evaluation,
10 and board members will rate the Director's performance. Relevant documentation, if any, will be
11 provided.

Legal References

1. TCA 49-2-203(a)(16)

Cross References

Board-Director Relations 1.205
Qualifications and Duties of the Director of Schools 5.802

General School Administration

3.1 – Role

3.3 – Line and Staff Relations

3.4 – School Based Management

Fiscal Management

4.7 – Retention of Financial Records

Facilities

5.5 – Safety Inspections

5.6 – Vandalism

Student Transportation

6.3 – Driver Responsibility for Bus Conduct

6.4 – Insurance

6.5 – Safety

6.6 – Safety Inspection

Food Services

7.1 – Goals

7.3 – Food Safety

Personnel

8.9 – Pay Schedule

8.14 – Separation Practices for Certified Employees

8.17 – Reduction in Staff

8.18 – Professional Development Requirement

8.23 – Complaints about School Personnel

8.27 – Instructional Assistants

Instructional Program

9.11 – Homework

9.15 – Evaluation of Instructional Program

9.18 – Integration of TCAP Scores in Student Grades

Communications and Public Relations

11.1 – Public Information

11.6 – Citizen Concerns and Complaints



February 5, 2019

Dr. Mike Winstead – Director of Schools

Maryville City Schools

833 Lawrence Avenue,

Maryville, Tennessee 37803

Re: Renovations to Maryville High School

Dr. Winstead,

Thank you for the trust you and your board has placed in Cope Architecture and we sincerely appreciate the opportunity to continue to provide services to Maryville City Schools. The scope of work that we discussed at our meeting last week as we understand it is outlined below.

SCOPE OF WORK – MARYVILLE HIGH SCHOOL:

1. Renovations to the Auditorium:
 - a. Stage to be demolished and re-built at lower height (+/- 36" high)
 - b. Add code required smoke evacuation system
 - c. Provide ADA accessibility to stage
 - d. Create a new proscenium opening
 - e. Keep existing new stage lighting as needed
 - f. Tie new lowered stage level to existing back of house spaces with steps and ramps and tie stage to existing school corridor with new steps
2. Choir Space:
 - a. Study option to build new addition at Northeast side of existing band/orchestra wing
 - b. Study option to renovate existing Choir room by removing wall between choir and Theater classrooms and incorporate entire space including a portion of the existing corridor/locker space into a new enlarged Choir room.
 - c. Study raising the ceiling height to create more volume for better acoustics

FEES:

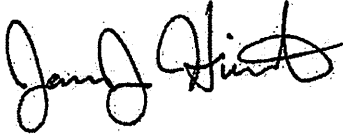
We propose to provide these services for a fee of 6% of construction costs from conceptual design through construction and close-out. Should there be a need for civil engineering (with a new addition for the Choral department), civil engineering would be an additional services, invoiced at our cost.

ASSUMPTIONS:

- MCS to provide plans of existing school.
- Any survey information required will be provided by MCS
- Travel and reprographics are reimbursable expenses.

Should this proposal be acceptable, we will prepare an AIA Owner-Architect Agreement for execution. We look forward to working collaboratively with you to provide the vision of Maryville City Schools and its students.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jim Hinton". The signature is fluid and cursive, with the first name "Jim" and last name "Hinton" clearly distinguishable.

Jim Hinton, AIA, LEED AP
Principal

cc: Amy Vagnier, Assistant Director of Schools
Scott Blevins, Director of Facilities
file